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ABSTRACT OF DISSERTATION

Emily Catherine Hodell

The Graduate School

University of Kentucky

2010

WHEN BATTERED PERSONS KILL:  
THE IMPACT OF GENDER STEREOTYPES ON MOCK JUROR PERCEPTIONS

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ABSTRACT OF DISSERTATION

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A dissertation submitted in partial fulfillment of the  
requirements for the degree of Doctor of Philosophy in the  
Department of Psychology  
at the University of Kentucky

By

Emily Catherine Hodell

Lexington, Kentucky

Director: Dr. Jonathan M. Golding, Professor of Psychology

Lexington, Kentucky

2010

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## ABSTRACT OF DISSERTATION

### WHEN BATTERED PERSONS KILL: THE IMPACT OF GENDER STEREOTYPES ON MOCK JUROR PERCEPTIONS

The present experiment investigated the role of gender stereotypes in cases in which a battered person kills his or her abuser. Regression analysis revealed an overall gender bias such that mock jurors were more likely to convict a man defendant who had killed his abusive wife than they were when a woman defendant who had killed her husband. Mediation analyses indicated that the relationship between abuser gender and verdict was partially mediated by sympathy toward the victim, and fully mediated by sympathy toward the defendant. Regression analysis also revealed an effect of abuser height, such that conviction rates were higher when an abuser was taller than his or her partner, regardless of abuser gender. Though not significant, trends suggested the act of killing an abusive partner was perceived as a protective act toward the child. Overall, the present study provides evidence that gender biases exist in cases in which a battered person kills his or her abuser.

KEYWORDS: Juror Perceptions, Intimate Partner Violence,  
Battered Women Who Kill Their Abusers,  
Gender Stereotypes, Self Defense

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July 15<sup>th</sup>, 2010  
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WHEN BATTERED PERSONS KILL:  
THE IMPACT OF GENDER STEREOTYPES ON MOCK JUROR PERCEPTIONS

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DISSERTATION

Emily Catherine Hodell

The Graduate School

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## CHAPTER 1

### Introduction

Over the last 30 years, intimate partner violence (IPV) has emerged as an integral subset of the violence and victimization literature. The present experiment was designed to extend the investigation of societal perceptions of IPV, and in particular, perceptions of a case in which a battered person kills his or her abuser. This paper will discuss (1) IPV, (2) battered women who kill their abusers, (3) legal responses to the homicide of an intimate partner in self defense, (4) battered men who kill their abusers, (5) the presence of children in violent homes, and (6) a discussion of the present experiment investigating the impact of gender, gender height expectation, child presence, and a belief in moral and legal justice on mock juror perceptions of a case in which a battered person kills his or her abuser.

### Intimate Partner Violence

Estimating the prevalence of IPV is not without difficulty: though data from the National Crime Victimization Survey (NCVS) indicate that 22% of non-fatal physical victimizations of women between 2001 and 2005 were perpetrated by a male intimate partner (Catalano, 2007), the numbers reported to the NCVS likely largely underestimate the prevalence of intimate partner violence against women for a host of reasons. For one, some women deny their victimization experiences (Leonard, 2002). Also, surveys by nature often exclude many subgroups of persons such as military personnel, institutionalized persons, the very poor, and those who are not fluent in English (Browne, 1993). Thus, it is likely that the prevalence rates of IPV are greater; some estimate that one in three women will experience IPV in their lifetime (Browne, 1993; Jordan, 2005).

It has also been suggested that women experience IPV at such sizeable rates that women sustain more injuries from a male intimate partner than car accidents, muggings, and rapes combined (Jones, 1996; Leonard, 2002; McLeer & Anwar, 1989; Stark, 1990).

Despite these staggering estimates of abuse sustained by women, recent IPV literature illuminates a surprising reality: research suggests women perpetrate IPV at rates equal to or even higher than do men (Allen, Swan, & Raghaven, 2009; Archer, 2000; Richardson, 2005). Given this new evidence, much literature has emerged pressing the importance of distinguishing between types of IPV; that is, not all IPV is equal in severity or intent (Johnson, 1995). Johnson (2006) has identified four types of IPV: (1) situational couple violence, in which a partner is violent and noncontrolling and in a relationship with either a nonviolent person, or a violent and noncontrolling person; (2) intimate terrorism, in which a controlling partner is violent with a nonviolent or violent and noncontrolling partner; (3) violent resistance, in which a noncontrolling partner perpetrates violence against a violent and controlling partner; and (4) mutual violent control, in which both partners are violent and controlling.

Distinguishing between types of IPV is particularly important in considering the reasons for the equal rates of perpetration of violence amongst men and women. Although some research suggests women claim to perpetrate violence in self-defense far more frequently than do men (Hamel, Desmarais, & Nicholls, 2007), other research indicates that the reasons men and women perpetrate violence are largely the same: as reciprocal violence or to gain control, which was previously thought of as a man-perpetrated form of violence (Graham-Kevan & Archer, 2005). Still, controversy over the reason for violence perpetration by men and women persists; some argue that frequency

of intimate terrorism perpetrated by men exceeds that of women, and failing to acknowledge gender inequities in violence perpetration does a disservice to research and recognition of victimization endured by women (e.g., Reed, Raj, Miller, & Silverman, 2010). However, as Langhinrichsen-Rohling (2010) points out, bias may exist in self-reported motivations for IPV perpetration due to social pressures. Those same social pressures may also skew experts in the field into categorizing women perpetrated violence into less certain subtypes, such as self defense against an intimate partner (Frieze, 2005; Hamel et al., 2007). Such biases may lead to a lack of acknowledgement of intimate terrorism perpetrated by women, and perhaps a failure to provide appropriate services to violent women, essentially leaving severe violence perpetrated against men relatively unchecked (Langhinrichsen-Rohling, 2010). Regardless of the accuracy of frequency of men and women perpetrated violence, Graham-Kevan and Archer (2005) found that controlling behavior explained 11% of minor physical aggression perpetrated by women, and 12% of severe aggression perpetrated by women, indicating that both men and women engage in intimate terrorism.

#### Battered Women Who Kill Their Abusers

As violent relationships involving intimate terrorism escalate, unfortunately some relationships end in homicide. When a homicide occurs between intimate partners, it is most frequently a battered woman who is killed at the hands of her abuser. However, on some occasions, a battered woman will strike back and kill her abuser (Walker, 1984). Recent data indicate that 30% of all female homicides are perpetrated by an intimate partner, whereas only 5% of male homicides are perpetrated by an intimate (Fox & Zawitz, 2007). One of the issues central to the discussion about battered women who kill



their abusers is what distinguishes them from non-homicidal battered women. Three publications have directly compared samples of battered women who have killed their abusers with battered women who have not killed (Browne, 1987; Walker, 1984; Roberts, 1996).

Browne (1987) compared a sample of 42 battered women who had killed their abusers to 205 non-homicidal battered women who had been out of the battering relationship for less than one year. Browne reported that a significant difference between the samples was the perception of violence by the women. Particularly, battered women who killed their abusers perceived their intimate partners as using more violence against them, more frequently, and with greater physical consequence than did non-homicidal battered women (Browne, 1987; Walker, 1989). Browne (1987) and Walker (1984) reported that a greater percentage of homicidal women reported experiencing death threats or threats of death of close relatives (e.g., children) than did non-homicidal women. Roberts (1996), in contrast, found no difference in the rates of these threats between homicidal and non-homicidal battered women. However, qualitative data collected by Roberts regarding the nature of the threats received by battered women illuminated an interesting effect: 90% of the homicidal battered women said that the death threat included the specific method, time, and/or location of their death, whereas only 15% of the non-homicidal battered women reported such specifics. In Robert's (1996) comparison of battered women in prison for killing their abusers with non-homicidal battered woman, other differences between the samples were that the homicidal women were less likely to be educated, to be on public assistance, and to have married their abusers than were non-homicidal battered women.

Typically, when a battered woman kills her abuser, she does so during a confrontation, prior to a confrontation (based on the belief that an attack was about to occur) or during an escape attempt by the battered woman (Browne, 1987; Kasian et al., 1993; Walker, 1984; 1987). Some women wait until their abusers are incapacitated (i.e., sleeping), as they reported feeling convinced their abusers would awake and assault or kill them (Browne, 1987). Battered women who kill their abusers usually do so with the same weapon with which they were previously threatened (Walker, 1984). Approximately three-quarters of women who kill their abusers use a gun; the secondary weapon of choice is a knife (Browne, 1987; Walker, 1984; Walker, 1989). After battered women killed their abusers, their reactions were frequently of sadness and horror (Browne, 1987). For example, nearly all of the women in Browne's (1987) sample of battered women who killed their abusers called for help almost immediately after the killing, and many of the women tried to administer aid and comfort to their abusers, even after police had arrived. Furthermore, some of the women asked to remain with the bodies of their abusers prior to arrest (Browne, 1987). In some cases, years after the killing, women who killed their intimate partners have a difficult time forgiving themselves, and continue to perceive themselves in a negative light – as unworthy of love and unable to let go of painful feelings (Smith & Wehrle, 2010).

#### *Pursuance of Alternative Solutions*

One myth pervasive in the domestic violence literature is the concept that a battered woman could simply leave her abuser, or pursue some other outlet such as police intervention or assistance from domestic violence shelters. Ewing and Aubrey (1987) found that a majority (63.7%) of participants in their community sample study believed

that if a battered woman was really afraid for her future, she could simply leave the batterer. Follingstad, Runge, Ace, Buzan, and Helff (2001) found that jurors were relatively unsympathetic to battered women who stayed in the battering relationship, even under the direst of circumstances including threats of death by the abuser. Similarly, college students who participated in Follingstad et al.'s (1997) research on mock juror perceptions of battered women who kill perceived the defendant in the case as reacting differently than they thought they themselves would react, and thought the defendant should have been able to retreat from the situation safely. Hodell, Dunlap, and Golding (2008) reported that 60% of participants in their mock juror study indicated that the reason for convicting a battered woman who killed her abuser was that they believed the woman should have pursued options other than homicide, such as leaving her abuser or calling the police. Although actual jurors surveyed about their attitudes toward battered women were generally aware of the anxiety and depression, fear of death, and fear of retribution for attempting to leave sustained by battered women, the idea that women should be able to retreat safely in these situations seems to persist (Greene, Raitz, & Lindblad, 1989).

Despite the societal demand on battered women to attempt leaving, battered women will not leave the battering situations for a host of reasons. Battered women often experience difficulties establishing a life outside the battering relationship, including trouble finding adequate housing or getting a job; social isolation, problems adjusting psychologically and physically to life without their partners, and long-lasting internalized psychological damage (Bell, Goodman, & Dutton, 2007; Enander, 2010; Logan & Walker, 2004; Walker, Logan, Jordan, & Campbell, 2004). In addition to dealing with

difficulties making a transition to a life without their abusive partner, leaving a batterer can be unsuccessful because of increased danger of harm from their abuser (Browne, 1987; Walker, 1993; Johnson & Hotton, 2003). Abusers will frequently track down their partners; separation from an intimate partner is the most dangerous time of the relationship for a battered woman (Browne, 1987; Ho & Venus, 1995). Data from the NCVS indicated separated women were more likely to report currently experiencing IPV than were women of any other marital status (Catalano, 2007). It is possible that women who are separated from their abusers simply are more likely to disclose IPV experiences and that the rates of victimization are not larger; however, other research supports the contention that ended or separated relationships result in more violence and a higher risk of homicide for women than do continuing relationships (Johnson & Hotton, 2003; Kelly & Johnson, 2008).

The frequency with which IPV victims call the police is unclear; Jasinski's (2003) analysis of the NCVS indicated that less than half (42%) of victims of IPV reported ever calling the police. In contrast, Fleury-Steiner, Bybee, Sullivan, Belknap, and Melton (2006) found that 80% of women who had experienced IPV initiated a call to police, and Lee, Park, and Lightfoot (2010) confirmed Fleury-Steiner et al.'s (2006) findings, with 80% of their sample also reporting having contacted police following an IPV incident. However, pursuing police intervention is not without difficulty for battered women, as police intervention in domestic violence situations is often ineffective (Johnson, 2007). Although changes are occurring in state law enforcement policies to maintain consistency in responding and increase the number of arrests in response to domestic violence incidents, mandatory arrest policies have led to unforeseen consequences (Frye,

Haviland, & Rajah, 2007). In particular, dual arrest, during which the domestic violence victim is arrested as well as the batterer, has increased with mandatory reporting laws (Frye et al., 2007; Hirschel & Buzawa, 2002; Johnson, 2007). Although sometimes women are correctly arrested for participation in violence, it is also suggested that women are arrested in domestic violence incidents when police are unable to determine an aggressor because of a lack of visible injury or because defensive wounds are mistaken for offensive injuries (Hirschel, 2002). Regardless, despite mandatory arrest laws, some research shows police are more lenient when faced with incidents of domestic violence, issuing an arrest less frequently than they are when responding to incidents of non-domestic assault (e.g., Avakame & Fyfe, 2001).

Even when police are called and the perpetrator of domestic violence is arrested, the question regarding the efficacy of arrest for prevention of recidivism remains. Research by Sherman and Berk (1984) known as the Minneapolis Domestic Violence Project followed the patterns of behavior of domestic violence perpetrators over a six-month period following either arrest, an eight-hour removal of the batterer from the household, or a suggestion by the police for the batterer to seek help. Sherman and Berk concluded that arrest was significantly more effective for preventing recidivism among batterers than were either of the other two conditions. Based on the compelling findings by Sherman and Berk of the efficacy of arrest in domestic violence cases, the NIJ funded replications of the Minneapolis project in other cities across the U.S. In contrast to the original findings, five of the six replications with available data reported arrest did not deter recidivism (Schmidt & Sherman, 1996). Since Sherman and Berk's study, a breadth of research suggests police intervention and arrest are ineffective deterrents for domestic

violence perpetrators, both because of a high recidivism rate among offenders following arrest (Hirschel & Hutchinson, 1996) and because batterers frequently are released on minimal bail (Jones, 2000). That is, by pressing charges against an abuser battered women often infuriate batterers, putting themselves in further danger. Fleury-Steiner et al. (2006) report that nearly one-fifth of the victims in their all-woman sample reported being victimized after their abuser had been arrested but before the case had closed. The perception many battered women have that police intervention would not help is frequently confirmed, making police intervention an unrealistic option for these women.

Overall, battered women do not leave abusive relationships because police intervention or leaving the battering situation simply may not seem like a viable option for many women. However, the unwillingness for battered women to leave their abusive relationships is not a product of a desire to stay; many women will go to great lengths to attempt to leave, some even contemplating or attempting suicide. The majority of the battered women who killed their abusers in Robert's (1996) sample attempted suicide prior to the killing, self reportedly as a means to extract themselves from the abusive relationship.

### Legal System Responses to Battered Women Who Kill Their Abusers

#### *The Self-Defense Defense*

Although most battered women who kill reportedly do so in self defense (Ewing, 1987; Kasian, Spanos, Terrance, & Peebles, 1993; Walker, 1984); the narrow legal definition of self defense often prevents jurors from acquitting in these cases. The specific language used across states varies slightly; however, the concept remains the same. Relying on language from the Kentucky Revised Statutes [503], in order for a

homicide to qualify as self defense the defendant must have believed that the victim was “then and there about to use physical force upon the defendant” and must be under “imminent danger of death or physical injury”. Frequently in cases in which a battered woman kills her abuser, she does so during a lull in violence either after a confrontation or in anticipation of a confrontation (Browne, 1987; Kasian et al., 1993; Walker, 1984). The apparent absence of imminence in such circumstances frequently results in convictions in court (Kasian et al., 1993). Despite serving as an ineffective means of protecting battered women who kill their abusers from conviction because of the lack of perceived imminence by jurors, self defense is the most commonly used defense in these cases as it is the most accurate reason battered women who kill their abusers report doing so, and it is arguably more effective than the use of other available legal defenses such as not guilty by reason of insanity or guilty but mentally ill.

In an attempt to provide a legal defense directly applicable to battered women who killed their abusers, Ewing (1990) proposed a psychological self-defense plea, arguing that the legal systems definition of “self” only included the physical self and not the important psychological self. Ewing posited that protection from serious harm or injury to the psychological self is as critical as is protection of the physical self; thus, Ewing suggested broadening the narrow legal definition of self defense to include the protection of the psychological self. Ewing’s proposal was criticized by the legal community for using non-empirically supported and vaguely defined existential psychology as a basis for his definition of “self” in his proposal (see Morse, 1990). Furthermore, Morse (1990) argued that Ewing’s proposal of psychological self defense should not be considered a justification for killing, as most people would not consider

psychological misery a justification for homicide. Rather, Morse considers the concept of psychological self defense an excuse, which is evidence of a lack of responsibility due to diminished capacity. Regardless, the legal and psychological community has largely abandoned Ewing's proposal of psychological self defense, leaving battered women who kill their abusers to rely on existing legal defenses.

One important factor related to the efficacy of a self-defense defense is the instructions provided jurors (Follingstad, Shillinglaw, DeHart, & Kleinfelter, 1997; Terrance, Matheson, & Spanos, 2000). Traditionally, in cases that include claims of self defense, judges provide instructions to jurors that require an objective interpretation of the defendant's actions in contrast with what jurors believe a "reasonable person" would have done. That is, they are to consider only the legal and non-emotional aspects of the case. However, some states allow judges to instruct jurors to consider the subjective experience of the defendant; to think about what the experience was like for the defendant (Castel, 1990; Follingstad et al., 1997). Mock jurors who receive objective instructions in cases in which a battered woman kills her abuser are significantly more likely to convict than are mock jurors instructed to consider the subjective experience of the woman (Follingstad et al., 1997; Terrance et al., 2000). Essentially, by allowing jurors to consider how they may feel in the situation, jurors are allowed more flexibility with subjective instructions, and are thereby more likely to acquit by reason of self defense than are jurors instructed to consider the objective meaning of the self defense criteria.



### *Situational Variables Related to the Self-Defense Defense*

Given battered woman who kill their abusers often do so in self defense (Serran & Firestone, 2004; Walker, 1989), a considerable amount of empirical research has focused on how aspects of the circumstances in which the battered woman killed her abuser impact courtroom decisions (e.g., Braden-Maguire, Sigal, & Perrino, 2005; Cheyne & Dennison, 2005; Finkel et al., 1991; Follingstad et al., 1989; 1997; Hodell et al., 2008; Terrance et al., 2000). One of the primary areas of this line of research has focused on characteristics related to the concept of the imminence legally required for an acquittal by self defense. Within this domain, researchers have investigated multiple components of imminence: (1) the immediacy of the batterer's threat (i.e., threat), (2) the woman's ability to retreat (i.e., ability to retreat), (3) the time delay between a confrontation and when the killing occurred (i.e., delay), (4) the level of force used by the abuser when the killing occurred (i.e., force), (5) whether a confrontation was occurring at the time of the killing (i.e., confrontation), and (6) the sleeping status of the victim at the time of the killing (i.e., sleeping status).

Follingstad et al. (1989) conducted research using a college sample to determine the impact of force used by the husband just prior to the killing. The three levels of force were (a) the man was advancing on the woman with a weapon at the time of the killing, (b) the man was advancing on the woman with no weapon at the time of the killing, or (c) the man physically assaulted the woman and verbally threatened her as in the other conditions, but then went to bed. The woman waited until he was asleep and then killed the man. Mock jurors found the defendant not guilty by reason of self defense more frequently when the woman killed her husband under the circumstances of condition (a)

than the other two conditions. No significant difference was found between condition (b) or condition (c), indicating that mock jurors were equally likely to fail to acquit for reasons of self defense in both conditions (Follingstad et al., 1989).

In an investigation of the impact of the woman's overall ability to retreat safely from the situation on mock juror perceptions, Follingstad et al. (1997) manipulated whether a battered woman's husband was awake or asleep at the time of the killing. In particular, Follingstad et al.'s vignette study included a battered woman who had barricaded herself in the bathroom while her husband pounded on the door threatening her. When she opened the door, the husband was either (a) advancing on her and she killed him, or (b) had fallen asleep on the bed and she killed him. The woman only had the ability to retreat in the latter condition. The college student mock jurors rendered significantly more guilty verdicts when the defendant (the battered woman) had the ability to retreat versus when she did not. Follingstad et al. clearly showed that the ability to retreat is central to jurors' willingness to convict versus acquit a defendant in these cases; however, the vignette provided did not distinguish what contributions to ability to retreat (i.e., delay or sleeping status) led to jurors' propensity to convict or acquit.

Cheyne & Dennison (2005) investigated how a delay between a confrontation and a killing affected mock juror decision making. In their scenario, the abuser and battered woman got into an argument and the abuser threatened the woman: "I'm going to hurt you like I've never hurt you before if you do this again" (p. 392). In the no-delay condition, the battered woman immediately grabbed a knife from the knife block and stabbed and killed her abuser. In the delay condition; however, the woman waited until later that night and stabbed her abuser when he was sleeping. Although participants

convicted the defendant at significantly higher rates in the delay condition compared to when the killing occurred following no delay, it is not possible to conclude that the delay between the confrontation and the killing led to higher conviction rates because the study confounded the sleeping status of the abuser with delay. That is, it is possible that mock jurors were not impacted by a delay between the confrontation and killing, but rather because only in the delay condition did the killing occur when the abuser was sleeping. Additionally, in the no-delay condition, the abuser and battered woman were in an active confrontation, whereas in the delay condition, because the abuser was asleep, there could be no active confrontation.

In an investigation similar to Cheyne & Dennison's (2005) study, Terrance et al. (2000) investigated the impact of the presence of a confrontation on mock jurors in a case in which a battered woman killed her abuser. In both the confrontation and no-confrontation conditions the man beat his wife, cleaned his hunting rifle, and then fell asleep. In the confrontation condition, the man awoke and began to beat his wife again and threatened her at which point she shot her husband. In the no-confrontation condition, the woman killed her husband while he was still sleeping. Individual mock juror judgments indicated that conviction rates were higher when the killing occurred in the no-confrontation condition versus the confrontation condition (Terrance et al., 2000). Similar to the Cheyne and Dennison experiment, however, it is unclear if the presence of a confrontation produced significant between group differences, or if the effect were attributable to the sleeping status of the victim, or an interaction between the two.

Most recently, Hodell et al. (2008) conducted research aimed at looking at specific variables related to the imminence of danger and the ability to retreat by the

battered woman, providing the first non-confounded study to investigate these specific variables. In particular, the presence of a confrontation was controlled across all conditions by making the confrontation occur and end with the abuser walking away and sitting down on his recliner in possession of his gun. Then, the battered woman grabbed the gun and shot him within a few seconds, waited six hours before shooting him, or waited three days before shooting him. Additionally, in the six-hour or three-day delay condition, the abuser was described as either awake or asleep. The abuser was not described as sleeping in the no-delay condition, because it does not make sense that he could already be asleep for her to kill him within a few seconds following the confrontation; otherwise, such a condition implies a delay or the presence of drugs, alcohol, or a sleep disorder. Results indicated delay had an effect on mock juror decisions only for women when there was a long delay. That is, men did not consider delay in their verdict decision making; women were unaffected by a delay of six hours, convicting at the same rate as those who received the no delay condition. However, women who received the three-day delay condition were more likely to convict the defendant than women who received either the no-delay or short-delay condition. Delay did not impact other mock juror decision making, including ratings of guilt and attributions of responsibility, sympathy, or blame. The minimal effect of delay found by Hodell et al. modifies Cheyne and Dennison's (2005) overall conclusion that a delay between a confrontation and killing increased conviction rates and impacted other rating variables.

Of greater impact in Hodell et al.'s (2008) study, victim sleeping status affected conviction rates such that the defendant was convicted more frequently when the victim was sleeping versus when he was awake. Determining that the sleeping status of the

victim has a significant impact on men and women mock juror decisions calls into question the conclusions made in Cheyne and Dennison's research and Terrance et al.'s (2000) study, as this prior research manipulated the sleeping status of the victim when attempting to determine the impact of imminence. For example, Cheyne and Dennison's investigation of delay also manipulated the sleeping status of the victim at the time of the killing, confounding the experiment so that it was impossible to determine whether delay or sleeping status led to differences in mock juror decisions. Hodell et al.'s evidence that sleeping status impacted conviction rates in these cases negates conclusions made by Cheyne and Dennison regarding the impact of delay on conviction rates because differences found between the immediate and delay condition in their study could be attributed to delay, or to the victim's sleeping status at the time of the killing.

#### *Variables Related to Defendant Characteristics*

Other research on mock juror perceptions of cases in which a battered woman killed her abuser has centered on variables related to characteristics of the battered women. Undergraduate participants in Follingstad, Brondino, and Kleinfelter's (1996) study received a case in which a battered woman killed her abusive husband with a description of the wife as a good wife, bad wife, or dysfunctional wife. The good wife was described as a pacifist, family oriented, non-substance using, and faithful. The bad wife was described as argumentative and critical of her husband, lazy, and self indulgent. The dysfunctional wife was described as abusing alcohol and medications, spacy, suicidal, and possibly unfaithful to her husband. Consistent with Follingstad et al.'s (1996) predictions, jurors were more likely to convict the bad wife or the dysfunctional wife than the good wife. Contrary to expectations, jurors were also more likely to convict

the bad wife than the dysfunctional wife, possibly because mock jurors attributed the characteristics of the dysfunctional wife as a product of her victimization; therefore exempting her from responsibility for her behavior (Follingstad et al., 1996).

### *Individual Juror Characteristics*

*Demographic variables.* In terms of demographic variables, participant gender predicts a small amount of variance in mock juror behavior in a variety of crimes, including when a battered woman kills her abuser. Women participants are typically more pro-victim than are men, rendering more guilty verdicts and rating the alleged victim as more believable than do men (e.g., Bottoms & Goodman, 1994; Haegerich & Bottoms, 2000; Hodell et al., 2008). Although Cheyne and Dennison (2005) found no impact of mock juror gender in their investigation of battered women who kill, other research has found reverse effects of mock juror gender – women tend to be more pro-defense in these cases (Follingstad et al., 1997; Hodell et al., 2008; Kasian et al., 1993; Russell & Melillo, 2006; Schuller, Smith, & Olson, 1994; Terrance et al., 2000). In cases in which battered women kill their abusers, the line between perpetrator and victim becomes somewhat hazy, as the woman may be considered a victim of domestic violence with the abuser as the perpetrator, but in the case at hand, the woman is the defendant and the abuser is the victim of homicide. A reverse juror gender effect suggests that women are more likely to identify with the battered woman or find the situation more credible than are men (Follingstad et al., 1997). Additionally, women are victimized more frequently than are men (Bottoms, 1993), perhaps leading women to relate to the alleged physical victimization experienced by the defendant in the case more than men. Other

demographic variables are typically unrelated to mock juror perception research on IPV and battered women who kill their abusers (e.g., Follingstad et al., 1997).

*Support for moral justice.* An individual factor that may influence perceptions of guilt in cases in which a battered person kills his or her abuser is a belief in vigilante, or moral, justice. It is suggested that battered women who kill their abusers are likely to be convicted because the typical scenario in which the killing occurs falls outside the narrow legal definition of self-defense (see KRS 503). Typically, a killing in these cases occurs during a lull in violence either after a confrontation or in anticipation of a confrontation (Browne, 1987; Kasian et al., 1993; Walker, 1984). Thus, an acquittal in such cases may theoretically be an exertion of one's right to consider moral justice.

Jury nullification is a process by which a jury acquits a defendant, though legally guilty, on the basis of moral justification (Greene, Heilbrun, Fortune, & Nietzel, 2007). Research suggests that the public's judgments of fairness or justifiability are not always in line with legal definitions of justice (Skitka & Houston, 2001). Rather, people vary on their perception of moral justice and their likelihood to engage in vigilante justice (Kovandzic, Kleck, & Gertz, 1998; Neapolitan, 1987). Skitka (2003) proposed the accessible identity model (AIM) as an explanation for the existence of moral and legal inequities such as jury nullification. The AIM suggests that individuals make decisions about fairness and justice in relation to the impact on one's self. A review of relevant research by Skitka (2003) shows that people are more thoughtful about justice when it threatens one's personal identity or their group identity. Thus, in the case in which a battered person kills his or her abuser, identity with either the abuser or the abused partner as a group member may impact individual ratings of belief in moral justice. It is

likely that in cases in which a battered person kills his or her abuser, mock jurors who have stronger belief in vigilante justice will be more likely to acquit than will mock jurors who believe less in the efficacy of vigilante justice.

*Support for legal justice.* Similar to support of moral justice, there also may be individual variability in a belief in legal justice. That is, there may be some people who have a greater propensity to have faith in the legal system, to believe strongly in an accurate and fair justice system, and may spend more time considering the fairness of court cases. Skitka and Houston (2001) showed using their moral mandate scale that people tend to share a normative belief that the guilty must be convicted and the innocent acquitted, and that people care about the fairness of trials. It is possible that individual variability in the belief in the fairness of the legal system may impact perceptions of cases in which a battered person kills his or her abuser.

#### Battered Men Who Kill Their Abusers

Consider the case of Darren and Charla Mack. On June 12, 2006, Darren Mack fatally stabbed his wife Charla in the garage of their Reno, Nevada home. Darren fled to Mexico; less than two weeks after the stabbing, he turned himself in to Mexican authorities. Darren did not deny killing Charla, but claimed that he did so in self defense, citing a history of psychological and physical abuse by his wife. Furthermore, Darren claimed that on the day of her death, Charla attacked him and in the scuffle, a pistol fell from Darren's pocket. According to his story, Charla picked up the pistol and pointed it at her husband. The pistol misfired and Mack instinctively pulled out a knife he also was carrying and stabbed Charla in the neck, ending her life. Darren pled guilty to the murder



of his wife and accepted a sentence of life in prison, receiving little empathy from the trial jurors, the media, and the community at large (Associated Press, 2007).

As illustrated by the Darren Mack case, men claim to kill their abusive wives in self defense. Generally, people are less sympathetic to such claims by men than the same claims by women (George, 1994). One reason people have difficulty believing a man may be battered so substantially that he kills in self defense is a gender stereotype regarding size and strength; that is, a societal expectation that men are physically larger and stronger than are women, so that they should be able to protect themselves without using lethal force (Migliaccio, 2002). Some researchers argue that the larger stature of men diminishes their victimization experience so that it cannot be the same, or perhaps as grave, as the battering of a woman (George, 1994; Pagelow, 1985). Additionally, the notion that the nature of violence against women is different than that of violence against men leads some to neglect a discussion of violence against men as an equitably serious offense (Pagelow, 1985; Walker, 1979). As noted by George (1994), academic response to the contention that men experience domestic violence has been minimal. Since George's notation, more research have arisen investigating issues related to violence against men and the community has generally moved more toward recognition of such violence (Kelly & Johnson, 2008).

As researchers have moved toward the acknowledgment of men as battered, some contend that the term "battered women" excludes men who are similarly victimized and propose modifying the term to "spouse abuse" or "family violence" (Tjaden & Thonnes, 2000). Others believe moving away from the term battered women diminishes the experiences of these women (e.g., Pagelow, 1985); as research shows, women are far

more likely to sustain life threatening injuries or to be killed by an intimate partner than are men (Tjaden & Thonnes, 2000). One could argue however, that spousal abuse is equally detrimental to every individual who is victimized, regardless of his or her group membership. Furthermore, it is unquestioned that women are the aggressors in some relationships (Kelly & Johnson, 2008) and some research even suggests women aggress against men as much as and possibly even more than do men with some types of IPV (Johnson, 2006; Kwong, Bartholomew, & Dutton, 1999; Prospero, 2008). It should be noted; however, that women who are considered “battered” are those involved in relationships with coercive controlling violence, of which the primary element is control of one partner over another. Women who aggress against men typically do so using situational couple violence, which is described as violence between a couple during an escalation in a fight, and lacks an element of control exertion by the perpetrator (Kelly & Johnson, 2008). The rate of women who exert control and power over their intimate partners is far less frequent than men who utilize violence as a means of gaining control (Johnson, 2006). Regardless of frequency, there is no theoretical reason to believe men could not kill abusive spouses in self defense.

Despite possibly equivalent rates of aggression by women and men in intimate partner relationships, research shows that women are more likely to experience serious injury from IPV than are men (Rand, 1997). However, men also experience serious physical injury from IPV (Kelly & Johnson, 2008; Tjaden & Thonnes, 2000). Some research indicates women are more likely to use a weapon during a physical assault than are men because of the necessity to rely on alternative methods of violence than physical strength (Straus, 1980).

Overall, investigations on perceptions of domestic violence cases involving men as victims indicate that situations in which a man is battered by his wife are taken less seriously than are domestic violence cases in which a woman is battered by her husband (George, 1994; Harris & Cook, 1994; Pagelow, 1985). For example, Harris and Cook (1994) found that participants in their college sample viewed a battering situation as more violent when the victim was a woman than when the victim was a man; and, participants said they would be more likely to call the police for help if the victim were a woman versus a man. Unfortunately, men who are victimized are not treated with the same care, respect, and seriousness as are women who are victimized, illuminating an unfortunate gender bias in domestic violence cases.

Research on victim and perpetrator blame in domestic violence cases provides insight into how men and women are differentially held responsible for the violence regardless of their role in the dispute (Worthen & Varnado-Sullivan, 2005). In general, when a domestic violence victim is a man, more blame is attributed to him for his victimization than is a woman when she is victimized (Harris & Cook, 1994). However, Cook and Harris (1995) found that regardless of whether it was a woman or a man, the instigator of the violence was held more responsible for the violent incident in a case in which bidirectional battering occurred.

Men and women participants also differ in their perceptions of domestic violence in terms of blame attribution (Bryant & Spencer, 2003; Harris & Cook, 1994). Bryant and Spencer (2003) found that men attributed more blame to domestic violence victims than did women. Considering both participant sex and victim sex, qualitative data collected by Harris and Cook (1994) indicated that men, but not women, participants said a man being

victimized should stand up to his abuser, or fight back. In contrast, no mention was made regarding women standing up to abusers. Unfortunately, violence against men tends to be considered less severe and is taken less seriously than equivalent violence perpetrated against women.

### *Gender and Size*

Societal considerations of what is “socially normal” in terms of gender roles dictate expectations regarding the size and role of men and women in our culture (Helgeson, 1994; Migliaccio, 2002). Relevant to the present study, research suggests societal gender norms dictate men should be taller than women (Helgeson, 1994) and the majority of people strongly prefer male mates be taller than their female counterparts (Salska et al., 2008; Swami et al., 2008). The origins of such a preference may be evolutionary: male height may be an indicator of heritable superiority, and therefore be preferential for transferring to offspring. However, it is also likely that internalization of social norms is strongly related to mate height preferences (Salska et al., 2008).

In addition to a general preference for male mates to be taller than their female partners, the height of men in comparison to average height influences perceptions of masculinity, athletic ability, and personal adjustment (Jackson & Ervin, 1992). Participants in Jackson and Ervin’s (1992) study rated men of average height or taller as more athletically oriented, more masculine, and better adjusted than men who were shorter than average height. Despite the general preference for a male mate to be taller than a female mate (Salska et al., 2008), taller women are perceived as more intelligent, more affluent, more ambitious, and more assertive than shorter women (Chu & Geary, 2005). Findings regarding gender height bias are particularly relevant to the present study

as perceptions of such characteristics may influence participants' perceptions of the abusive partner, or the necessity for one partner to kill the other in self-protection. Even experts find it reasonable to conclude that men are more likely than women to be able to defend themselves from an partner who perpetrates intimate terrorism; however, Graham-Kevan and Archer (2003) found no such effect in their study; men were no more likely than women to retaliate against intimate terrorism with violence.

### The Presence of Children in Violent Homes

The issue of child welfare has largely been overlooked in the mock juror research on battered women who kill their abusers. Children often suffer through years of witnessing domestic violence; and unfortunately, children in homes where domestic violence is present are at risk of physical and/or sexual abuse (Davies & Krane, 2006; Mbilinyi, Edleson, Haegmeister, & Beeman, 2007). Estimates indicate that as many as half of abusers batter their children as well as their intimate partners (Mbilinyi et al., 2007; Walker, 1984; 1989). Even more disturbing, among the homicidal battered women in Browne's (1987) study, 71% of the abusers had also physically or sexually assaulted their child. Even without the presence of intentional abuse against children in violent homes, sometimes children will be accidentally injured during a domestic dispute, making the household dangerous for children as well as their abused parents (Mbilinyi et al., 2007).

Many children who live in violent homes and escape abuse frequently witness the abuse of a parent. Unfortunately, children who witness abuse often are negatively affected by witnessing violence; deleterious effects on children from witnessing domestic violence include psychological, cognitive, behavioral, social, and developmental deficits

(Grych, Jouriles, Swank, McDonald, & Norwood, 2000; Katz, Hessler, & Annest, 2007; Lehmann, 1997; McGee, 1997; Minze, McDonald, Rosentraub, & Jouriles, 2010; Nixon, Tutty, Weaver-Dunlop, & Walsh, 2007; Wolfe, Zak, Wilson, & Jaffe, 1986). In particular, research suggests children who witness abuse (in comparison to children from non-violent homes) have lower social competency (Wolfe et al., 1986), lower school performance (Wolfe et al., 1986), lower emotional competency and awareness (Katz et al., 2007), and experience higher rates of PTSD (Lehmann, 1997). Children who witness IPV are at risk for adjustment problems (Graham-Bermann, Gruber, Howell, & Girz, 2009; Owen, Thompson, Shaffer, Jackson, & Kaslow, 2009). For example, Graham-Bermann et al. (2009) report finding that 35% of children exposed to IPV have severe adjustment problems or depression; and further report a negative relationship between the amount of IPV witnessed and adjustment problems. It should be noted that methodological concerns (e.g., samples from shelters, a failure to distinguish between children who solely witnessed abuse vs. experienced abuse personally) and some research failing to find substantial differences between child witnesses of domestic violence and non-witnesses in some areas (e.g., Grych et al., 2000) raise concerns regarding the validity of research suggesting children experience negative effects from witnessing domestic violence. Generally, researchers recognize that children who witness domestic violence do experience maladjustment from exposure to violence in various forms, but characteristics of each child, circumstances of the domestic violence, longevity of exposure, and other case variables impact the level and type of maladjustment experienced (Nixon et al., 2007).

Most people consider exposing children to domestic violence poor parenting, and many consider the failure to remove their child from a situation in which the child is a witness to domestic abuse a form of child mistreatment in itself (Wilson, 1998). Even when the abuser in a household is a father, mothers are sometimes held more responsible for the welfare of their children than are the actual abusers (Edleson, 1998; Landsman & Hartley, 2007). In fact, experts that regularly deal with issues of child safety, such as child welfare workers, attribute more responsibility of child safety to the mother than the father in domestic violence situations when the father is violent toward the mother (Landsman & Hartley, 2007). Unfortunately, being a mother is not a protective factor against IPV duration or severity, and may even increase risk of duration of IPV postseparation (Vatnar & Bjorkly, 2010). Motherhood presents a difficult position for battered women: is it better to remove children from the abusive household, thereby removing stability, financial support and emotional support, and still risking continued IPV; or stay in the abusive household, maintaining support, but ensuring exposure to IPV? Though public perception is that women should remove their children from abusive homes, many women who have children report staying or returning to abusive relationships primarily because of their children (Vatnar & Bjorkly, 2010), staying in order to maintain that stability and support (Moe, 2009).

Critics of the skewed attribution of responsibility for child welfare on mothers posit that the focus on mothers in societal and legal responses to child abuse situations is irresponsible and ineffective (Edleson, 1998). That is, situations in which a man in the home is abusing a child, the mother of the child is relied upon by social agencies to take action to protect their child; while the perpetrator of abuse is largely neglected by

agencies. For example, Edleson (1998) argues that it is counterintuitive to assure safety to a woman and her child when no action is taken against the perpetrator of violence. Given the attribution of blame rests largely on the maternal figure in a child's life for protection from harm, it is possible that battered women who kill their abusers will be perceived as less responsible for the killings if they do so to protect their children.



## CHAPTER 2

### The Present Experiment

The purpose of the proposed experiment is to investigate variables related to gender stereotyping in cases of battered persons who kill their abusers. In particular, the proposed experiment will investigate the role of gender as related to stereotypes of size and responsibility for child welfare in mock juror decisions in a case in which a battered person kills his or her spouse allegedly in self defense. Although there is no theoretical reason to believe battered men do not kill their abusers in self defense, no research to date has investigated how mock jurors may perceive these cases. Additionally, it is likely gender stereotypes may play a role in determining guilt and responsibility in a case in which a battered person kills an abusive partner. Given people expect men to be taller and stronger than women (Migliaccio, 2002), a larger man should thereby be able to stand up to his abusive woman partner without necessitating the use of deadly force. In addition to gender and height norms, the proposed experiment will investigate the impact of mock juror perceptions in cases in which a battered person kills his or her abuser when children are present in the household. Thus, the proposed experiment is designed to (a) investigate how mock jurors perceive cases in which a battered woman killed her abuser in contrast to a battered man who killed his abuser, (b) determine if stereotypes about the physical stature of men and women modify the impact of gender in decisions in a case in which a battered person kills his or her abuser, (c) if the presence of a child in the household impacts mock juror decisions in these cases, and (d) examine the impact of individual belief in moral justice and belief in legal justice.

## Method

### *Participants*

Forty-nine men (25.9%) and one hundred forty women (74.1%) undergraduate college students enrolled in Introduction to Psychology at the University of Kentucky in Lexington, Kentucky participated in the present study. All students received partial credit toward fulfillment of a class requirement. Only students who were at least 18 years old and U.S. citizens, and therefore jury eligible, participated in the study. Participants ranged in age from 18 to 59, although 95% of the sample was between 18 and 27. The majority of the sample (88.4%) was Caucasian, 6.3% identified as Black, 4.2% Asian, and 2.1% Hispanic. This race composition is similar to the general community of Lexington, Kentucky, the location of the University of Kentucky (U.S. Census, 2000).

### *Design*

The present experiment was a 2 (Abuser Gender) x 2 (Abuser Height) x 2 (Child Presence) factorial design. The levels of abuser gender were that the abuser was a man (husband/father) or a woman (wife/mother). So as not to introduce an influence of homosexual versus heterosexual domestic violence (see Blasko, Winek, & Bieschke, 2007; Bornstein, Kaplan, & Perry, 2007; Brown, 2008), only heterosexual relationships were included in the present study. Moreover, perpetrators of intimate partner violence are most frequently of the opposite gender (Catalano, 2007). The levels of height were that the abuser was either described as 5 inches taller than the battered spouse, or 5 inches shorter than his or her spouse. The levels of child presence were that there was no child present in the household or there was a child present in the home during the killing, but did not witness the killing.

## *Materials*

*Trial summary.* The trial summary provided information regarding a case in which a battered person killed his or her abuser and entered a plea of not guilty by reason of self defense (see Appendix A). The summary included opening instructions to mock jurors, the case presented by the prosecution and the defense, and the judge's instructions to mock jurors. First, trial background was presented, including a stipulation that the defendant was abused by his or her spouse pursuant to Kentucky Revised Statute 503.050, which admits evidence of prior acts of domestic violence and abuse on the following relevant contingencies:

**“503.050 Use of physical force in self-protection -- Admissibility of evidence of prior acts of domestic violence and abuse.**

... (3) Any evidence presented by the defendant to establish the existence of a prior act or acts of domestic violence and abuse as defined in KRS 403.720 by the person against whom the defendant is charged with employing physical force shall be admissible under this section.”

The prosecution's case included the testimony of three witnesses: a co-worker of the defendant, a neighbor of the defendant and victim who witnessed the killing, and the autopsy doctor. The case for the defense contained testimony of a different co-worker of the defendant, the defendant himself or herself, and the Chief of Police.

The judge's instructions included legal criteria using Kentucky Revised Statutes for Intentional Murder [KRS 507.020], First-Degree Manslaughter [KRS 507.030], and Self-Protection [KRS 503.050]. First-degree manslaughter differs from intentional murder in regard to the consideration of the mental state of the defendant at the time of

the killing. In particular, instructions for manslaughter include the qualification: “He intended to cause the death of another person, and thereby caused the death of such person or of a third person under circumstances which do not constitute murder because he acts under the influence of extreme emotional disturbance”. In Kentucky, a conviction of first-degree (intentional) murder carries a minimum 25-year sentence and is a capital offense, whereas the minimum sentence for first-degree manslaughter is 10 years and is not a capital offense.

*Manipulation check questions.* Throughout reading the trial summary, participants were asked manipulation check questions as well as distractor questions (so as not to alert participants to the manipulations in the present study) on each page of the survey (see Appendix B).

*Trial-summary questionnaire.* First, participants rated the guilt of the defendant on a scale of 1-10 with only the endpoints labeled (1 = not at all guilty, 10 = completely guilty). Next, participants rendered a verdict on the case of guilty of first-degree murder, guilty of manslaughter, or not guilty by reason of self defense. After rendering verdicts, participants completed an item reliant on qualitative data that asked participants to write what led to their verdicts, with multiple reasons allowed. Rating questions aimed at influences on primary courtroom decision making (i.e., guilt/verdict) followed. Specifically, participants used a 10-point rating scale with the endpoints labeled to rate the victim and defendants’ responsibility for the death of the victim (1 = not at all responsible, 10 = completely responsible) and sympathy toward the victim and the defendant (1 = none at all, 10 = a lot). Participants also responded to rating questions regarding their perceptions of the psychological well-being/perception of the defendant

and victim at the time of the killing. In particular, participants rated the perceived fear of the victim and defendant just prior to the killing (1 = none at all, 10 = a lot), the perceived ability of the victim and defendant to discriminate right and wrong at the time of the killing (1 = not at all, 10 = completely), and the perceived psychological stability of the victim and defendant both generally and at the time of the killing (four questions; 1 = not at all, 10 = completely). See Appendix C for the trial summary questionnaire.

*Moral justice scale.* Participants completed Schadt and DeLisi's (2007) questionnaire regarding belief in moral justice (see Appendix D). The questionnaire contains six items related to a belief in the use of moral justice.

*Legal justice scale.* Additionally, participants completed Skitka and Houston's (2005) moral mandate items (see Appendix E). The questionnaire contains seven items related to the belief of fairness and outcomes in the legal system.

### *Procedure*

Participants who signed up on Sona Systems at the University of Kentucky, a website that tracks and credits Introductory Psychology student research participants, were linked to surveymonkey.com for online study completion. An investigation of the costs and benefits of using Internet administration for psychological research indicates computer research findings are consistent with traditional research administration findings, and measures can be taken to insure the prevention of repeat responders, such as the recording of IP addresses (Gosling, Vazire, Srivastava, & John, 2004). After consenting to participate, participants continued through the survey site. At various points throughout the trial summary, participants answered manipulation check questions, which must be answered correctly before participants could move to the next section. Following

reading the trial summary, participants responded to all questions. Upon completion of the entire study, a link to the consent form and a debriefing explanation was provided.

### Hypotheses

There are five primary hypotheses for the present experiment as detailed below:

1. A main effect of abuser gender, such that mock jurors will be more favorable toward women abusers (as victims) than men abusers (as victims). As a reminder, abuser (victim) gender is fixed with defendant gender, such that only heterosexual couples are included in the present study. Thus, it is predicted that conviction rates and guilt ratings will be higher when the defendant is a man who killed his abusive wife than when the defendant is a woman who killed her abusive husband. Additionally, rating variables will show the same favorability toward women over men; for example, it is hypothesized that men abusers will be perceived as more responsible for their own deaths than will women abusers. However, it is predicted that main effects of abuser gender will be qualified by interactions (see Hypotheses #2 and #3).
2. An Abuser Gender x Abuser Height interaction is predicted to emerge. In particular, it is predicted that preconceived gender norms regarding controlling violence (Kelly & Johnson, 2008) will impact the perception of abuse such that when the abuser is a man, abuser height will not be considered and the defendant will be convicted at rates comparable to those found in prior research. However, when the abuser is a woman, because of the perceived rarity of domestic violence perpetrated by women (George, 1994), participants

may use evidence differently to determine how they view the case. That is, in unfamiliar circumstances, research suggests people may use additional information to make an inference in order to consider the scenario more believable (Tversky & Kahneman, 1982). Therefore, it is predicted that participants will render more guilty verdicts (convicting the man of killing his abusive wife) and rating guilty as higher when the woman abuser was shorter than her husband, versus when she was taller than her husband.

3. An Abuser Gender x Child Presence interaction is predicted. Based on research that suggests women are held more accountable for the welfare of their children than are men (Edleson, 1998; Landsman & Hartley, 2007), it is predicted that when a child is present, participants will react differently to the information about a woman killing her abusive husband than they would should no child be present in the household. However, given this is the first study investigating the impact of child presence on juror perceptions of battered women who kill, it is unclear whether participants will consider the killing of her abuser as protective of the child – removing the abusive source in the household, albeit through a violent means; or, conversely, will consider the killing of her abuser as a further abusive act by permanently removing the child's paternal figure and likely traumatizing the child with more violence.
4. A main effect of a belief in moral justice, such that increased belief in moral justice will predict pro-defendant decision making. In particular, higher belief in moral justice should predict lower conviction rates and lower guilt ratings, as well as pro-defendant decisions for rating variables.

5. A main effect of a belief in legal justice, such that an increased belief in legal justice will lead to more pro-victim decision making. In contrast to predictions made for individuals who have higher belief in moral justice, a belief in legal justice is predicted to lead to higher conviction rates, higher guilt ratings, and pro-victim decisions among the rating variables.

In addition to the five primary hypotheses in the present study, there are two other questions asked in the present study. After rendering verdicts, participants will be asked to write the reason they chose their verdict. This qualitative data will be examined to determine patterns that may begin to explain influences on the propensity to convict versus acquit. For example, the present study establishes the existence of police records and medical history that show evidence of a history of abuse perpetrated by the victim, but beliefs that domestic violence victims could leave the relationship may persist (see Greene et al., 1989). Thus, participants in the present study may be unwilling to acquit because they believe leaving the abusive relationship was a viable option for the defendant. Additionally, as the majority of prior research on battered women who kill their abusers render few guilty of first-degree murder verdicts (e.g., Schuller & Hastings, 1996), qualitative data regarding participant's reasons for verdict may begin to reveal influences that distinguish between a propensity to convict of first-degree manslaughter versus first-degree murder. Because of low power due to missing cells in the reason for verdict data, no statistical analyses will be presented on the reason for verdict data.

Finally, an exploration of potential mediators in the present study will be conducted. That is, one or more of the rating variables (e.g., sympathy toward the victim) may mediate the relationship between one or more of the independent variables and the



primary dependent variable of interest, verdict. It should be noted that mediation analyses have not been conducted in prior research on battered women who kill their abusers. However, analyzing mediating variables in the present study may begin to explain how participants make decisions in cases in which a battered person kills his or her abuser.

### Analytic Strategy

Prior to running analyses, the verdict data were examined to determine if there were an adequate number of murder verdicts to consider them separately from the manslaughter verdicts. Often in mock juror research investigating perceptions of battered women who kill their abusers the number of murder verdicts are low, requiring the manslaughter and murder verdicts to be collapsed, creating a binary verdict with guilty (murder + manslaughter) and not guilty verdicts (e.g., Follingstad et al., 1989; Hodell et al., 2008; Schuller & Hastings, 1996). In the present study, only 11.1% of the participants rated the defendant guilty of murder; thus, a binary verdict variable was created of guilty versus not guilty.

A hierarchical logistic regression was run on verdict. On step 1, participant gender, ethnicity, and age were entered. By entering participant demographics first, a determination can be inferred regarding the unique contribution of the manipulated variables beyond the contribution of preexisting mock juror characteristics. On step 2, the main effects of abuser gender, abuser height, child presence, belief in legal justice and belief in moral justice were entered. The two predicted two-way interactions, Abuser Gender x Abuser Height and Abuser Gender x Child Presence were entered on step 3 (see Table 2.1 for regression model).

Table 2.1

*Regression Model*

---

Step 1

$$y = x_1 + x_2 + x_3$$

Step 2

$$y = x_1 + x_2 + x_3 + x_4 + x_5 + x_6 + x_7 + x_8$$

Step 3

$$y = x_1 + x_2 + x_3 + x_4 + x_5 + x_6 + x_7 + x_8 + x_9 + x_{10}$$


---

*Note:*

y = Outcome variable

x<sub>1</sub> = Participant Gender

x<sub>2</sub> = Participant Sex

x<sub>3</sub> = Participant Ethnicity

x<sub>4</sub> = Abuser Gender

x<sub>5</sub> = Abuser Height

x<sub>6</sub> = Child Presence

x<sub>7</sub> = Belief in Moral Justice

x<sub>8</sub> = Belief in Legal Justice

x<sub>9</sub> = Abuser Gender x Abuser Height

x<sub>10</sub> = Abuser Gender x Child Presence

To reduce the experiment-wise type I error rate, a factor analysis was conducted on all rating variables other than guilt. Principal components factor analysis with an oblimin rotation was used, as rating variables were correlated (see Table 2.2 for all correlations). Four factors emerged from the analysis. Factor 1 (witness credibility) included six variables: ratings of the credibility of the three witnesses presented by the defense and the three witnesses presented by the prosecution, with factor loadings ranging from .71 to .83. Factor 2 (sympathy toward the victim) included two items: sympathy toward the defendant and perceived fear experienced by the victim, with factor loadings of .70 and .83, respectively. Factor 3 (defendant psychological health) included three measures of the perceived psychological health of the defendant: the defendants' ability to distinguish between right and wrong at the time of the killing (.76), the psychological stability of the defendant in general (.76), and the psychological stability of the defendant at the time of the killing (.89). Factor 4 (sympathy toward the defendant) included sympathy toward the defendant (.62), perceived fear experienced by the defendant (.86), and perceived credibility of the defendant's testimony (.64). Responsibility of the victim for his/her own death and responsibility of the defendant for the victim's death were analyzed independently because they did not load highly on any factor.

Hierarchical linear regression was used to analyze all rating variables with the following entry process: For each variable, a regression was run using the following steps: on step 1, participant gender, ethnicity, and age were entered. On step 2, the main effects of abuser gender, abuser height, child presence, belief in legal justice, and belief in moral justice were entered. The Abuser Gender x Abuser Height interaction and the

Table 2.2

*Correlations for All Rating Variables*


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Variable	1	2	3	4	5
1 Credibility: Veronica Sampson	-	.511**	.532**	.742**	.571**
2 Credibility: John Parsons	.511*	-	.493**	.468**	.450**
3 Credibility: Dr. Carla Fleming	.532*	.493**	-	.511**	.635**
4 Credibility: Michelle Perry	.742*	.468**	.511**	-	.581**
5 Credibility: Chief Gerald Colton	.571*	.450**	.635**	.581**	-
6 Credibility: Dr. Donald Adams	.420*	.364**	.557**	.458**	.643**
7 Credibility: Defendant	.280*	.185*	.233**	.444**	.387**
8 Responsibility of victim for death	.060	-.043	.094	.078	.115
9 Responsibility of defendant for death	.256*	.211**	.252**	.116	.174*
10 Sympathy toward victim	-.001	.063	-.081	-.081	-.063
11 Sympathy toward defendant	.146*	-.010	.176*	.198**	.207**
12 Fear experienced by victim	-.020	.020	-.137	-.123	-.080
13 Fear experienced by defendant	.197*	.116	.189**	.246**	.243**
14 Defendant's ability to distinguish right and wrong	.069	.028	.056	.019	-.051
15 Psychological stability of defendant in general	.164*	.110	.093	.224**	.166*
16 Psychological stability of defendant at time of killing	.011	-.001	-.107	.027	-.057

Table 2.2 (continued)

Variable	6	7	8	9	10	11
1 Credibility: Veronica Sampson	.420**	.280**	.060	.256**	-.001	.146*
2 Credibility: John Parsons	.364**	.185*	-.043	.211**	.063	-.010
3 Credibility: Dr. Carla Fleming	.557**	.233**	.094	.252**	-.081	.176*
4 Credibility: Michelle Perry	.458**	.444**	.078	.116	-.081	.198**
5 Credibility: Chief Gerald Colton	.643**	.387**	.115	.174*	-.063	.207**
6 Credibility: Dr. Donald Adams	-	.327**	.090	.092	-.144	.191**
7 Credibility: Defendant	.327**	-	.336**	-.112	-.249**	.426**
8 Responsibility of victim for death	.090	.336**	-	-.198**	-.400**	.542**
9 Responsibility of defendant for death	.092	-.112	-.198**	-	.284**	-.137
10 Sympathy toward victim	-.144	-.249*	-.400**	.284**	-	-.240**
11 Sympathy toward defendant	.191**	.426**	.542**	-.137	-.240**	-
12 Fear experienced by victim	-.067	-.205**	-.351**	.194**	.454**	-.174*
13 Fear experienced by defendant	.188**	.436**	.269**	.000	-.249**	.382**
14 Defendant's ability to distinguish right and wrong	-.003	-.024	.029	-.050	.132	.119
15 Psychological stability of defendant in general	.051	.191**	.183*	-.075	-.125	.132
16 Psychological stability of defendant at time of killing	-.015	-.018	-.093	-.130	.077	-.007

Table 2.2 (continued)

Variable	12	13	14	15	16
1 Credibility: Veronica Sampson	-.020	.197**	.069	.164*	.011
2 Credibility: John Parsons	.020	.116	.028	.110	-.001
3 Credibility: Dr. Carla Fleming	-.137	.189**	.056	.093	-.107
4 Credibility: Michelle Perry	-.123	.246**	.019	.224**	.027
5 Credibility: Chief Gerald Colton	-.080	.243**	-.051	.166*	-.057
6 Credibility: Dr. Donald Adams	-.067	.188*	-.003	.051	-.015
7 Credibility: Defendant	-.205**	.436**	-.024	.191**	-.018
8 Responsibility of victim for death	-.351**	.269**	.029	.183*	-.093
9 Responsibility of defendant for death	.194**	.000	-.050	-.075	-.130
10 Sympathy toward victim	.454**	-.249**	.132	-.125	.077
11 Sympathy toward defendant	-.174*	.382**	.119	.132	-.007
12 Fear experienced by victim	-	-.007	.037	-.001	.151*
13 Fear experienced by defendant	-.007	-	-.006	.138	-.017
14 Defendant's ability to distinguish right and wrong	.037	-.006	-	.410**	.526**
15 Psychological stability of defendant in general	-.001	.138	.410**	-	.592**
16 Psychological stability of defendant at time of killing	.151*	-.017	.526**	.592**	-

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Note: \*  $p < .05$ , \*\*  $p < .01$

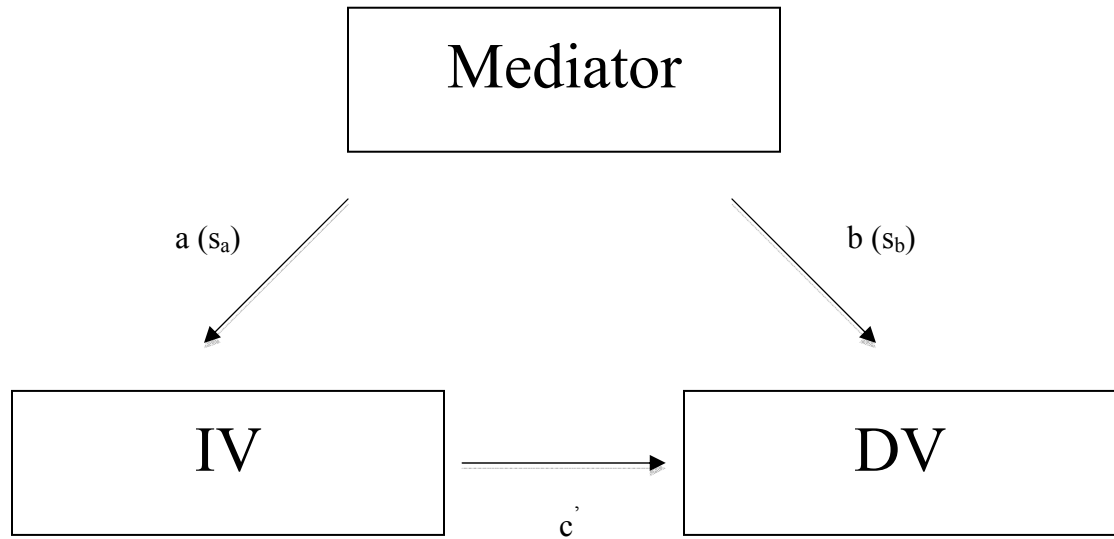
Abuser Gender x Child Presence interaction were entered on Step 3 (see Table 2.1 for all regression models).

For significant factors, mediational analysis were used determine influences of both manipulated and non-manipulated variables on significant effects of the independent variables. Mediation analyses measure the degree to which a variable accounts for the relationship between an independent and dependent variable (Baron & Kenny, 1986; see Figure 2.1). Mediation occurs when three conditions are met: (1) the IV significantly predicts the mediator, (2) the mediator significantly predicts the DV, and (3) the effect of the IV on the DV shrinks or disappears when the mediator is included in the model. If the effect of the IV on the DV disappears entirely with the presence of the mediator, the relationship between the IV and DV is entirely explained by the mediating variable. More commonly, the size of the effect is smaller with the presence of the mediating variable, suggesting a partial mediation, whereby multiple mediators may explain the relationship (Baron & Kenny, 1986).

Sobel (1982) argued that researchers were too confident in drawing inferences on indirect effects found through path analysis or mediation without determining the significance of such effects. MacKinnon, Lockwood, Hoffman, West, and Sheets (2002) and Preacher and Hayes (2004) make the argument that a bootstrapping technique is the optimal means for testing significance in mediational models. Bootstrapping draws sub-samples from the original sample and calculates the variance in the test statistics calculated from each sub-sample, resulting in a reliable confidence interval for the effect of each variable. The present study will use bootstrapping to analyze mediational variables.

Figure 2.1

*Mediation Model*



Where:

$a$  = raw regression coefficient for the association between IV and mediator.

$s_a$  = standard error of  $a$ . □

$b$  = raw coefficient for the association between the mediator and the DV.

$s_b$  = standard error of  $b$ .



## CHAPTER 3

### Results

#### Preliminary Analyses

##### *Verdict*

Across all conditions, conviction rates were 52.9%. More specifically, 47.1% of participants found the defendant not guilty by reason of self protection, 41.3% of participants rendered guilty of first-degree manslaughter verdicts, and 11.1% of participants convicted the defendant of first-degree murder. See Table 3.1 for all overall means and standard deviations. See Table 3.2 for means by condition.

##### *Moral Justice Scale*

To analyze a belief in moral justice, the item “Revenge killing is always wrong” was reverse scored. Reliability across the six items of the moral justice scale emerged as  $\alpha = .84$ . The six variables were averaged to determine an overall individual score for belief in moral justice.

##### *Legal Justice Scale*

To analyze a belief in legal justice, the item “I never think about whether the outcomes of trials are fair or not” was reverse scored. Reliability across the seven legal justice scale items was  $\alpha = .71$ . An average rating of all legal justice items was calculated.

Table 3.1

*Descriptive Statistics for Primary Variables*

Variable	<i>M</i>	<i>SD</i>
Verdict ( <i>Not guilty</i> = 0, <i>Manslaughter</i> = 1, <i>Guilty</i> = 2)	1.64	.68
Dichotomous Verdict ( <i>Not guilty</i> = 0, <i>Guilty</i> = 1)	.53	.50
Guilt	5.01	2.61
Belief in Moral Justice	4.49	2.04
Belief in Legal Justice	7.36	1.45
Witness Credibility	6.63	1.65
Sympathy toward the victim	4.31	2.26
Defendant psychological health	4.35	1.86
Sympathy toward the defendant	7.16	1.59

Table 3.2

*Descriptive Statistics by Condition – Means (Standard Deviations)*

Variable	Verdict	Guilt	Witness Credibility	Sympathy Toward Victim
Abuser Gender				
Man	.41(.50)	4.50(2.54)	6.53(1.68)	3.73(2.17)
Woman	.64(.48)	5.50(2.59)	6.73(1.61)	4.90(2.21)
Abuser Height				
Abuser taller	.44(.50)	4.65(2.57)	6.56(1.68)	4.44(2.17)
Defendant taller	.62(.49)	5.35(2.61)	6.70(1.62)	4.18(2.36)
Child Presence				
Child	.46(.50)	4.74(2.64)	6.64(1.63)	4.18(2.20)
No Child	.60(.49)	5.26(2.56)	6.62(1.67)	4.44(2.33)

*Note:* For Verdict: 0 = not guilty, 1 = guilty

Table 3.2 (continued)

*Descriptive Statistics by Condition – Means (Standard Deviations)*


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Variable	Defendant Psychological Health	Sympathy Toward Defendant	Victim Responsibility	Defendant Responsibility
Abuser Gender				
Man	4.22(1.84)	7.61(1.31)	7.13(2.25)	7.34(2.75)
Woman	4.48(1.87)	6.71(1.72)	5.92(2.31)	7.90(2.25)
Abuser Height				
Abuser taller	4.37(1.70)	7.29(1.60)	6.67(2.30)	7.44(2.69)
Def. taller	4.33(2.01)	7.03(1.57)	6.39(2.41)	7.80(2.34)
Child Presence				
Child	4.57(1.88)	7.25(1.65)	6.76(2.33)	7.57(2.55)
No child	4.12(1.81)	7.08(1.53)	6.30(2.36)	7.67(2.51)

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*Note:* For Verdict: 0 = not guilty, 1 = guilty

## Hypotheses

### *Hypothesis 1 – Main Effect of Abuser Gender*

The binary logistic regression model on verdict was significant at step 2, with the entry of abuser gender,  $\chi^2 = 20.27$ ,  $p = .001$ ,  $B = 1.03$ ,  $SE = .33$ ,  $p = .002$ ,  $OR = 2.80$  (see Table 3.3 for all Odds Ratios). Specifically, participants were 2.8 times more likely to convict when a man killed his abusive wife than when a woman killed her abusive husband. The linear regression on guilt also produced a significant amount of variance explained with the addition of the main effects at step 2,  $\Delta R^2 = .09$ ,  $F(5,163) = 3.37$ ,  $p = .006$ . Abuser gender was predictive of guilt ratings, such that participants rated a man who killed his abusive wife as more guilty than a woman who killed her abusive husband,  $B = 1.05$ ,  $SE = .40$ ,  $t(171) = 2.70$ ,  $p = .008$ .

The models for sympathy toward the victim and sympathy toward the defendant were both significant,  $\Delta R^2 = .08$ ,  $F(5,165) = 3.36$ ,  $p = .013$ , and  $\Delta R^2 = .24$ ,  $F(5,164) = 10.67$ ,  $p < .001$ , respectively. Abuser gender emerged as predictive of sympathy toward the victim,  $B = 1.14$ ,  $SE = .33$ ,  $t(173) = 3.15$ ,  $p = .002$  and sympathy toward the defendant,  $B = -1.03$ ,  $SE = .22$ ,  $t(172) = 4.73$ ,  $p < .001$  (see Table 3.3 for all Betas). As expected, participants were more sympathetic toward a woman abuser who was killed by her husband than they were toward a man abuser who was killed by his wife and were more sympathetic toward the defendant when she was a woman who had killed her abusive husband than when he was a man who had killed his abusive wife.

Contrary to predictions, the regression model for defendant's responsibility for the victim's death did not explain a significant amount of variance in the present study (all  $\Delta R^2$   $p$ 's  $> .05$ ). However, in keeping with predictions, the model for victim's

Table 3.3

*Regression Model Results – Step 3 Models*

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Verdict = 1.36 + .55 Participant Gender + .73 Participant Ethnicity + 1.01 Participant Age + 2.32 Abuser Gender + .34 Abuser Height + .60 Child Presence + .98 Moral Justice + 1.07 Legal Justice + 1.72 Abuser Gender x Abuser Height + .84 Abuser Gender x Child Presence

Guilt = -.09 Participant Gender + .03 Participant Ethnicity + .06 Participant Age + .18 Abuser Gender - .18 Abuser Height + .10 Child Presence - .14 Moral Justice - .02 Legal Justice + .10 Abuser Gender x Abuser Height - .06 Abuser Gender x Child Presence

Witness Credibility = .08 Participant Gender - .14 Participant Ethnicity + .00 Participant Age + .17 Abuser Gender - .06 Abuser Height + .12 Child Presence - .02 Moral Justice + .44 Legal Justice + .01 Abuser Gender x Abuser Height - .16 Abuser Gender x Child Presence

Sympathy Toward the Victim = -.07 Participant Gender + .03 Participant Ethnicity - .09 Participant Age + .30 Abuser Gender + .11 Abuser Height - .04 Child Presence - .06 Moral Justice - .13 Legal Justice - .05 Abuser Gender x Abuser Height - .06 Abuser Gender x Child Presence

Defendant Psychological Health = -.01 Participant Gender - .18 Participant Ethnicity - .10 Participant Age - .02 Abuser Gender + .03 Abuser Height + .03 Child Presence + .19 Moral Justice + .02 Legal Justice - .01 Abuser Gender x Abuser Height + .11 Abuser Gender x Child Presence

Sympathy Toward the Defendant = .15 Participant Gender + .03 Participant Ethnicity - .01 Participant Age - .33 Abuser Gender + .05 Abuser Height + .09 Child Presence - .00 Moral Justice + .38 Legal Justice + .05 Abuser Gender x Abuser Height - .04 Abuser Gender x Child Presence

Responsibility of the Defendant for the Victim's Death = -.02 Participant Gender + .03 Participant Ethnicity - .07 Participant Age + .20 Abuser Gender - .07 Abuser Height - .01 Child Presence - .01 Moral Justice + .16 Legal Justice - .04 Abuser Gender x Abuser Height - .10 Abuser Gender x Child Presence

Responsibility of the Victim for Own Death = .17 Participant Gender + .09 Participant Ethnicity - .06 Participant Age - .33 Abuser Gender - .02 Abuser Height + .04 Child Presence + .21 Moral Justice + .11 Legal Justice + .06 Abuser Gender x Abuser Height + .04 Abuser Gender x Child Presence

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*Note:* Odds ratios are presented for verdict; Betas are presented for all other regressions

responsibility for his or her own death was significant,  $\Delta R^2 = .14$ ,  $F(5,165) = 45.28$ ,  $p < .001$ . In particular, abuser gender significantly predicted participants perception of the victim's responsibility for his or her own death,  $B = -1.30$ ,  $SE = .34$ ,  $t(173) = 3.86$ ,  $p < .001$ , with participants rating the victim as more responsible for his own death when the victim was a man abuser than when the victim was a woman abuser.

#### *Hypothesis 2 – Abuser Gender x Abuser Height Interaction*

Hypothesis 2 was not supported: the Abuser Height x Abuser Gender interaction did not emerge as significant for any variable, all  $p$ 's  $> .05$ . However, an unpredicted main effect of abuser height was found for verdict. When the abuser was described as taller than the defendant, participants were more likely to convict than when the defendant was taller than the abuser,  $B = -.83$ ,  $SE = .33$ ,  $p = .012$ ,  $OR = .44$ , regardless of abuser gender. Despite being contrary to predictions, this main effect of abuser height indicates that the size of an abuser and their partner is influential in rendering decisions regarding the use of fatal force in violent relationships. Furthermore, the impact of size on decisions in cases involving a battered spouse who kills his or her abuser may be more a product of the necessity of the use of fatal force rather than about gender norms regarding size.

#### *Hypothesis 3 – Abuser Gender x Child Presence Interaction*

Hypothesis 3 was not supported: an interaction between abuser gender and child presence did not significantly predict variance for any dependent variable, all  $p$ 's  $> .05$ . Although not significant at  $p < .05$ , a trend emerged suggesting an potential impact of child presence. More specifically, when a child was present in the household, participants were less likely to convict than when there was not a child present in the household,  $B = -$

.60,  $SE = .33$ ,  $p = .066$ ,  $OR = .55$ . Similarly, child presence was marginally significant for predicting guilt ratings, with a trend suggesting participants may rate the defendant as more guilty when a child was not present in the household versus when a child was present in the household,  $B = -.69$ ,  $SE = .39$ ,  $t(171) = 1.77$ ,  $p = .079$ .

#### *Hypothesis 4 – Main Effect of a Belief in Moral Justice*

Hypothesis 4 was generally unsupported, a belief in moral justice only significantly predicted perceptions of the victim's responsibility for his or her own death,  $B = .24$ ,  $SE = .09$ ,  $t(173) = 2.73$ ,  $p = .007$ , such that as a belief in moral justice increased, so did the perception that the victim was responsible for his or her own death.

#### *Hypothesis 5 – Main Effect of a Belief in Legal Justice*

Hypothesis 5 was also generally unsupported, but a belief in legal justice did predict two rating factors. The regression on witness credibility was significant at step 2,  $\Delta R^2 = .20$ ,  $F(5,152) = 8.25$ ,  $p < .001$ . A belief in legal justice predicted ratings of witness credibility; as a belief in legal justice increased so did ratings of witness credibility,  $B = .51$ ,  $SE = .08$ ,  $t(166) = 6.24$ ,  $p < .001$ . Additionally, a belief in legal justice predicted ratings of defendant sympathy,  $B = .43$ ,  $SE = .08$ ,  $t(173) = 5.53$ ,  $p < .001$ , such that greater belief in the legal system led to higher ratings of sympathy for the defendant.

### Other Analyses

#### *Mediation Analyses*

Given the predictive value of abuser gender, mediational analyses were run. Using the aforementioned criterion (Baron & Kenny, 1986), both sympathy toward the victim and sympathy toward the defendant qualified for testing mediation. For sympathy toward the victim, condition 1 was met – abuser gender significantly predicted sympathy toward



the victim. Condition 2 was also met – sympathy toward the victim significantly predicted verdict. Finally, condition 3 was partially met; there was a diminished effect of abuser gender on verdict with the inclusion of sympathy toward the victim in the model,  $B$  was diminished from 1.03 to .82,  $OR = 2.27$ . The bootstrapping analysis produced a confidence interval from .09 - .48 for sympathy toward the victim,  $p = .004$ . However, abuser gender remained a significant predictor of verdict with the inclusion of sympathy toward the victim at  $p < .05$ , indicating sympathy toward the victim is a partial mediator of the relationship between abuser gender and verdict.

Mediation analyses were also run to determine if sympathy toward the defendant mediated the relationship between abuser gender and verdict. Conditions 1 and 2 were met – abuser gender significantly predicted sympathy toward the defendant and sympathy toward the defendant significantly predicted verdict. For condition 3, when sympathy toward the defendant was included in the model, the effect of abuser gender on verdict was extinguished. The  $B$  for abuser gender went from 1.03 without sympathy toward the defendant in the model to .54 with the inclusion of sympathy toward the defendant, making it non-significant  $p = .14$ ,  $OR = 1.72$ . The bootstrapping analysis produced a confidence interval from -1.09 – 1.63 for sympathy toward the defendant,  $p = .001$ . This effect indicates sympathy toward the defendant was a full mediator of the relationship between abuser gender and verdict.

#### *Qualitative Reason for Verdict Data*

Reason for verdict data was scored by the primary researcher and a research assistant; agreement between scorers was  $\alpha = .98$ . The most commonly cited reason for not guilty by reason of self protection verdicts was a belief that the defendant was acting

in protection of him- or herself and/or his or her child, with 68% of the sample citing such reasons. Sixty-one percent of participants who voted not guilty cited evidence of physical abuse as a reason for their verdicts. Also, 37% of participants said that the threat on his or her life was a reason for participants belief in his or her use of self protection and thereby led to their acquittal. An example of a typical response by a participant who rendered a not guilty verdict was: “She was being threatened and her husband actually brought the gun into the TV room. He had already thrown hot oil on her so I think that she was defending herself from any other harm from him.”

In analyzing reason for verdict data for participants who rendered verdicts of guilty of first-degree manslaughter, responses varied as to reason for verdict. Some participants wrote from the perspective of providing leniency with a manslaughter verdict; others seemed to feel their verdicts were punitive. The reasons for verdict were varied: 31% of participants said they chose a manslaughter verdict because they felt the situation lacked the imminence needed for a self-defense verdict. Twenty-nine percent of participants cited their reason for a manslaughter verdict was related to the belief that the defendant should have pursued alternative options. In contrast to these reasons being related to the punitive nature of a guilty of manslaughter verdict, 22% of participants cited their reason for a manslaughter verdict, as opposed to a not guilty by reason of self-protection verdict, was because of the perceived reality of the threat to the defendant’s safety.

Mock jurors who convicted the defendant of murder cited two primary reasons for their choice of verdict. Thirty-three percent of the participants who voted guilty of murder cited their reason as the belief that the defendant should have pursued alternatives to killing, such as leaving or calling police. For example, one mock juror stated: “If she

needed to be protected she could [have] gone to the police...”. Thirty-eight percent of the participants who voted guilty did so because the victim was not actively attacking the defendant during the killing; the killing occurred during a brief lull in the violence. As one participant wrote: “Although he claims self defense, the victim was not currently eliciting any actual physical force against him, only verbal.”

With regard to the impact of child presence, some participants mentioned an influence of the presence of a child in the household on their verdicts. Twenty-eight percent of participants who received a child present condition and acquitted the defendant mentioned the child in their reason for verdict. As an example, one participants who voted not guilty stated: “There was also a child involved that could have been hurt so I felt that Mrs. Morrison was not only protecting herself but also her son.” Eighteen percent of participants who received a child present condition and convicted the defendant of first-degree manslaughter mentioned the child in their reason for verdict data. Despite a small proportion of the participants mentioning the child as an influential factor in their decision-making process, it was clear that for some mock jurors, child presence had a substantial impact on their verdict. No participants mentioned administering a more punitive verdict because of the presence of the child; rather, all mention of the child was acknowledgment that the killing was in protection of the child’s life.

## CHAPTER 4

### Discussion

The present study suggested gender biases extend beyond perceptions of IPV cases to extreme cases of violence during which a battered person kills his or her abuser. With regard to gender biases, across the board, abuser gender reached significance as a main effect. In contrast to when a battered man kills his abuser, when a battered woman kills her abuser, mock jurors were more likely to acquit the woman, find her less guilty, and were more sympathetic toward her. Furthermore, participants were more sympathetic toward abusive women who were killed by their husbands than when the victim was a man, and felt that men who were killed by their wives were more responsible for their own deaths. Overall, these patterns suggest that it is still more socially acceptable for a woman to kill her abuser than it is for the equivalent situation with the gender roles reversed.

Analyses indicated that participants' sympathy toward the victim and sympathy toward the defendant partially mediated the relationship between abuser gender and verdict. Although determining partial mediation provides some insight into the reasons behind a verdict in these cases, Bullock, Green, and Ha (2010) caution against overstating the influence of mediational analyses, particularly those that are not manipulated variables. It is likely that sympathy toward the victim and defendant are related to other variables not included in the present study. For example, sympathy toward the victim may be related to personal victimization status or a belief in traditional gender roles, among other possibilities. However, the present study suggests feelings of sympathy

among mock jurors are enough to influence verdicts in cases in which a battered person kills his or her abuser, and therefore merits further investigation.

One potential reason mock jurors are biased about IPV cases in general, and perhaps specifically to cases in which a battered person kills his or her abuser is the perception that men are larger than women, and therefore should be able to dominate or control women without the necessity of deadly force. Contrary to a predicted interaction between abuser gender and abuser height, conviction rates were higher when an abuser was taller than his or her partner versus when the abuser was shorter, regardless of abuser gender. Thus the contradiction in gender norms of a woman being taller than her partner (Migliaccio, 2002) did not impact decisions in this case; instead, the size of abusive individuals was likely predictive of the perceived need for the use of deadly force by their partners. This finding may be more a product of the issue of perceived imminence than it is about gender bias. That is, when an abuser is taller than his or her partner, danger may be perceived as more imminent than when an abuser is shorter than his or her partner, necessitating fatal force. Certainly, the finding that height in the present study impacts conviction rates indicates further research on size and the necessity of fatal force is merited.

With regard to child presence in the present study, minimal effects were found. Although the impact of child presence did not reach significance, there is enough evidence present to recommend a more focused investigation into the role of children in the household in cases in which battered persons kill their abusers. As previously discussed, women are held responsible for the welfare of their children more so than are men, even when the man is the abuser in the situation (Edleson, 1998; Landsman &

Hartley, 2007). Thus, the present study aimed to investigate if the removal of a child from an IPV situation through violent means would be perceived as more damaging to the child (i.e., subjecting a child to the loss of a parent, potential knowledge of the violent act), or would be perceived as protective of the child (i.e., removes the child from the household and prevents future potential for victimization). It was predicted that an Abuser Gender x Child Presence interaction would emerge, such that child presence would impact conviction rates when the defendant was a woman, but not when the defendant was a man. This hypothesis was not supported. However, the present study did suggest that the killing of an abusive partner was perceived as protective of a child in the household, regardless of which parent was abusive. With regard to quantitative data, a trend suggested that conviction rates and guilt ratings were lower when a child was present in the household, as compared to when the couple did not have a child.

As indicated by the reason for verdict data, some participants felt strongly that the killing of an abusive partner was an act that was protective of the defendant's child. It is notable that in the present study, a college sample was used, making it unlikely that many of the participants were parents. It is entirely possible that parental status would predict a stronger reaction to the presence of a child in the household. Although more conclusive results were not obtained in the present study regarding child presence, the present study does provide some information on the likely direction of the perception of children in the household. The present study suggests that participants are unlikely to perceive the killing of an abusive partner as further abuse against a child by removing a parental unit or exposing them to trauma. In contrast, participants may perceive the killing of an abusive partner a protective act for children in the home.

In addition to variables related to characteristics about the case, the present study examined the influence of individual characteristics on courtroom decision making. Specifically, the present study investigated whether a propensity to acquit or convict was related to an individual belief in vigilante or moral justice, or to a belief in the legal system process. Although the hypotheses were not fully supported regarding individual belief in moral or legal justice, the present experiment illuminated some predictive value of each of these measures on rating variables. Specifically, a greater belief in moral justice predicted higher perceptions of the victim's responsibility for his or her own death. As expected, a greater belief in moral justice predicted the perception that an abusive partner who is killed deserved the retaliation because of their prior arguably immoral actions. A belief in legal justice predicted higher ratings of perceived witness credibility, as one may expect. That is, one who believes strongly in the efficacy of the justice system and in the fairness of legal outcomes is also likely to have more faith in the credibility of eyewitnesses. Contrary to what common sense would suggest, a belief in legal justice also predicted higher ratings of sympathy for the defendant. In cases in which a battered person kills his or her abuser, it may be that despite believing in fairness of the legal system, people who are high on belief in legal justice still appreciate the predicament the defendant may have felt he or she was in by being in a chronically abusive relationship and therefore have higher ratings of sympathy for the defendant than those who have a lower belief in legal justice.

As an examination of other potential mechanisms behind mock juror decision making in the present study, the reason for verdict data for manslaughter and murder convictions revealed some interesting effects. Nearly one-third of participants mentioned

a lack of imminence as their reasons for rendering manslaughter convictions versus acquittals. In contrast, 22% of participants mentioned a belief that imminence was present, leading to their manslaughter convictions versus murder convictions. Thirty-eight percent of participants who convicted the defendant of murder did so because of a belief of lack of imminence, perhaps placing even greater emphasis on the necessity of imminence in such cases. As previously discussed, the use of not guilty by reason of self-defense pleas can be difficult to obtain, possibly because of the missing imminence that is required by legal self-defense language.

In addition to the perception of imminence being influential on verdict decision making, as expected, almost one-third of participants who voted guilty of manslaughter and one-third of participants who voted guilty of murder mentioned a belief that alternative solutions, such as leaving or calling police, should have been pursued rather than the use of lethal force. The present study made clear that the defendant pursued both police and hospital intervention previously, but that information failed to alleviate persisting beliefs that battered men and women can successfully leave violent relationships without the need for physical force.

In contrast to some prior research (e.g., Follingstad et al., 1997; Kasian et al., 1993; Terrance et al., 2000) participant gender did not predict a significant amount of variance in the present study. Approximately one quarter of the participants in the present experiment were men; it is possible that there was insufficient power to detect significant differences between men and women participants. Participant age and ethnicity also did not predict a significant amount of variance in the present study; the population of participants was a sample of undergraduate students, making the participant population



more homogenous with regard to age, education level, and marital status than that of the general population. Although some research indicates minimal differences between community and college samples (e.g., Bornstein, 1999), it is possible different results would emerge among a more experienced sample of community members. Despite this possibility, it should be noted that all participants in the present study were over 18 years old and were U.S. citizens, and therefore jury eligible.

A limitation with the present study that must be acknowledged is, arguably, a lack of ecological validity because of the use of trial summaries. Although mock juror research using trial summaries does not provide the breadth of information real jurors encounter in court cases, the methodology does allow for stringent control of variables. Kerr and Bray (2005) conducted an exhaustive analysis of methodological costs and benefits to mock trial simulations and caution researchers against over-generalizing results from mock trial simulations, but maintain that the mock trial is a viable and worthwhile methodology. In particular, Kerr and Bray point out that information from mock trial research is incredibly valuable in guiding more applied research, and in their potential for real-world implications. Additionally, the present study did not include a deliberation process. Although deliberations may give mock jurors a better grasp of the case in general, as well as direct attention to specifics of the case, Diamond (1997) notes that individual mock juror judgments are typically in line with judgments rendered by juries.

In sum, the present study was the first to investigate the role of gender in cases in which a battered person killed his or her abuser. Recently, research has focused largely on the equities and inequities amongst men and women perpetrated violence (e.g.,

Graham-Kevan & Archer, 2005; Reed et al., 2005). Although research shows women self-reportedly engage in controlling violence (Graham-Kevan & Archer, 2005), no research has investigated the alleged killing of women who engage in violence against their men spouses. The failure to identify killing in self defense by battered men exacerbates societal resistance to accepting and acknowledging the possibility of such cases. To date, the public generally fails to acknowledge the issue of battered men; thus, few resources are provided for men who are battered by women. Future research identifying cases in which battered men kill their women abusers is needed, as is public policy and public awareness that such cases exist.

## Appendix A

### Trial Summary

*Note: Child condition addition in italics*

The Commonwealth of Kentucky  
vs.  
Frank Morrison

KRS 507.020(1)(a)  
(Murder)  
Defendant

#### **Case background:**

On or about the 11<sup>th</sup> day of June, 2009, in Fayette County, Kentucky, the above-named defendant committed murder by shooting Beth Morrison, a 5'6" woman, with a shotgun. It was alleged that Beth Morrison was killed by her 35-year-old husband Frank Morrison, a 5'11" man in their residence on the evening of June 11, 2009 at approximately 6:35PM. The state called on three witnesses for the prosecution: Vernon Sampson (a 38-year-old co-worker of the defendant), John Parsons (a neighbor of the Morrison's), and Doctor Carla Fleming, (the doctor who performed the autopsy on Beth Morrison).

Frank Morrison pleaded not guilty due to self-defense. The defense stated that the deceased, Beth Morrison, threatened Frank's life. The defense argued that the defendant had reason to believe that Beth Morrison would kill him and, therefore, was forced to kill his wife in self-defense. The defense also argued that Frank Morrison was never before in serious trouble with the law. The defense called three witnesses: Michael Perry (a 32-year-old co-worker of the defendant), the defendant himself (Frank Morrison), and Chief of Police Gerald Colton.

Based on prior evidence, the Prosecution and Defense stipulate that the defendant (Frank Morrison) was physically abused by his wife Beth Morrison (the deceased). In particular, documentation of abuse entered into evidence included medical records of prior burns, lacerations, and a broken finger inflicted on Frank Morrison by Beth Morrison. Additionally, police records show two police responses to domestic violence calls at the Morrison residence on which Beth Morrison is recorded as the perpetrator of the abuse.

#### **Prosecution's Case**

##### Prosecution Witness No. 1: Vernon Sampson

##### Direct Examination

Vernon Sampson was a 38-year-old co-worker of the defendant who knew the defendant for nine years. Mr. Sampson stated that the day before the event, June 11, 2009, the defendant called Mr. Sampson and told him that his marriage was going terribly and that his wife was constantly angry with him for not doing enough around the house. Moreover, Frank said his wife seemed more concerned about going to work and watching TV than she did about Frank *or their son Eric*. Mr. Sampson said he felt that Frank was very upset and angry with his wife.

## Appendix A (continued)

### Cross Examination

Mr. Sampson said that in the nine years he had known the defendant, Frank had never been in any serious trouble. However, Mr. Sampson admitted that he rarely saw Frank outside of work, so it was possible Frank was involved in behavior he was able to hide at work. Mr. Sampson also admitted that he could have misread Frank's emotions and that Frank could have been scared instead of angry.

### Prosecution Witness No. 2: John Parsons

#### Direct Examination

Mr. Parsons was the next-door neighbor of the Morrison's. He stated that he saw the defendant shoot his wife from a distance of 6 feet away in the family living room on the evening of June 11, 2009 at approximately 6:35 PM. He stated that he witnessed the event through the Morrison's front window as he was walking past their house.

#### Cross Examination

Mr. Parsons stated that the lighting outside was beginning to dim because of the time of day and that he could not see the entire situation through the window. He also stated that the distance he was from the window (the defense measures at 29 feet) did not allow him to hear any sounds other than the gunshot.

### Prosecution Witness No. 3: Dr. Carla Fleming

#### Direct Examination

Dr. Fleming stated that she is a licensed doctor. She received her M.D. from Harvard University and has testified in ten other court trials. Dr. Fleming stated that she performed the autopsy on the victim, Beth Morrison. Dr. Fleming indicated that the cause of death determined by the autopsy was one shotgun wound to the chest.

#### Cross Examination

Dr. Fleming admitted that she did not know why or how the shooting occurred. She also could not determine if the shooting was purposeful or accidental based on the wound.

## **Defendant's Case**

### Defense Witness No. 1: Michael Perry

#### Direct Examination

Michael Perry was a 32-year-old co-worker of the defendant. He stated that on the day prior to the event, June 11, 2009, Mr. Perry had lunch with the defendant. Mr. Perry said that Frank Morrison said that his wife was scaring him lately with her anger and that he was worried that she was going to do "something bad" to Frank.

## Appendix A (continued)

### Cross Examination

Mr. Perry admitted that he had seen Frank seem anxious on other occasions. Mr. Perry also indicated that Frank often discussed problems with his wife, so Mr. Perry did not take this occasion of Frank's fear more serious than other similar situations in the past.

### Defense Witness No. 2: Frank Morrison

#### Direct Examination

Frank Morrison stated he was afraid that his wife was going to hurt or kill him. He stated that on the night in question, *their son Eric was playing in his bedroom and* Frank was cooking dinner for himself and his wife. Frank and his wife had been arguing about the dish Frank had chosen to cook for dinner. Frank said he had chosen to cook chicken but his wife wanted fish. Frank said that he was in the kitchen at around 6:15 pm preparing dinner. Frank said he had started heating oil in a saucepan when his wife came into the kitchen. Frank said that his wife picked up the frying pan and threw the contents at Frank, causing burns that blistered on his neck and left shoulder. She said to Frank "I told you I don't want your disgusting meal. Clean this up and cook the fish. Then maybe I will let you live. You know I will blow your brains out." Frank said that he watched his wife walk into the bedroom and get the shotgun out of the closet and bring it into the family living room where she sat down on the couch and turned on the TV with the shotgun next to her. Frank said that earlier in the week his wife had threatened to "blow his head off with her shotgun in the car and then push the car into the lake where he would never be found." Frank stated that he was terrified that his wife was actually going to kill him and it was only a matter of time until she did. Frank said that he knew the only way he *and his son* would be safe is if he killed his wife before she could kill him. Frank said that he did not remember exactly what he was thinking when he ran over, grabbed the shotgun, and shot her. Immediately after Frank shot her, he dropped the shotgun and ran to the phone to call 911.

#### Cross Examination

Frank Morrison admitted that his wife had threatened to kill him as many as 5 times over the past 2 years. Frank said that he did not know if his wife would have actually ever killed him. Frank also admitted he had never tried to leave his wife, but said that he was afraid of what she would do if he left and she found him.

### Defense Witness No. 3: Chief of Police Gerald Colton

#### Direct Examination

Chief Colton said that Frank Morrison did not have a police record. He said that on the night in question, June 11, the 911 emergency line received a call from the Morrison household at 6:42 PM that someone had been shot. Police were dispatched and said that at the scene, Beth Morrison had sustained a fatal shotgun wound and was pronounced dead on the scene. Frank Morrison immediately had indicated that he had shot his wife and police had taken him into custody. He was initially transported to the

## Appendix A (continued)

hospital for treatment for burns on his neck and shoulder and was later transferred to the Fayette County Detention Center for immediate holding. *A family friend of the Morrison's agreed to take care of the Morrison's son Eric, and picked him up within a half hour of the arrival of police at the Morrison home.*

### Cross Examination

Chief Colton said he had never personally visited the Morrison residence in response to a domestic violence call prior to the night in question. In addition, Chief Colton said although Frank immediately confessed to shooting his wife, Frank seemed somewhat out of it and confused to him.

## Instructions to Jurors

### Instruction No. 1 Murder; Intentional

You will find the Defendant guilty of Murder under the following Instruction if, and only if, you believe from the evidence beyond a reasonable doubt all of the following:

- A. That in this county on or about June 11, 2009 and before the finding of the Indictment herein, Frank Morrison killed Beth Morrison by shooting her with a shotgun;
- AND
- B. That in so doing, he caused the death of Beth Morrison intentionally;
- AND
- C. That in so doing, he was not privileged to act in self-protection;
- AND
- D. That in so doing, he was not privileged to act in protection of another.

Note: Intentional Murder carries a minimum sentence of 25 years and convicted persons are eligible for the death penalty.

### Instruction No. 2 First-Degree Manslaughter, Intent to Kill or Injure

If you do not find the Defendant guilty of Murder under Instruction No. 1, you will find the Defendant guilty of First-Degree Manslaughter under this Instruction if, and only if, you believe from the evidence beyond a reasonable doubt all of the following:

- A. That in this county on or about June 11, 2009 and before the finding of the Indictment herein, Frank Morrison killed Beth Morrison by shooting her;
- AND
- B. That in so doing:

Appendix A (continued)

(a) He intended to cause serious physical injury to another person, and thereby caused the death of such person or of a third person; or

(b) He intended to cause the death of another person, and thereby caused the death of such person or of a third person under circumstances which do not constitute murder because he acts under the influence of extreme emotional disturbance;

AND

C. That in so doing, he was not privileged to act in self-protection;

AND

D. That in so doing, he was not privileged to act in protection of another.

Note: First-Degree Manslaughter carries a minimum sentence of 10 years and a maximum sentence 20 years in prison.

Instruction No. 3

Self-Protection

Even though the Defendant might otherwise be guilty of Murder under Instruction No. 1 or First-Degree Manslaughter under Instruction No. 2, if at the time the Defendant, Frank Morrison, killed Beth Morrison, he believed that Beth Morrison was then and there about to use physical force upon him, Frank Morrison was privileged to use such physical force against Beth Morrison as he believed to be necessary in order to protect himself from death or serious physical injury at the hands of Beth Morrison.

Note: Self-protection is a not guilty verdict; therefore, acquittal by self-protection carries no sentence.

## Appendix B

### Manipulation Check Questions

1. Who is taller?
  - a. Frank Morrison
  - b. Beth Morrison
2. Who is the defendant in this case?
  - a. Frank Morrison
  - b. Beth Morrison
  - c. Gerald Colton
3. Who was abusive?
  - a. Beth Morrison
  - b. Frank Morrison
4. How does Mrs. Sampson know the defendant?
  - a. They are cousins
  - b. They are co-workers
5. What sound did Mr. Parson hear when he witnessed the event?
  - a. A gunshot and screaming
  - b. A gunshot
6. Where did Dr. Fleming receive her M.D.?
  - a. Harvard
  - b. Stanford
7. How does Ms. Perry know the defendant?
  - a. They were neighbors
  - b. They were co-workers
8. What reason did the defendant give for killing her husband?
  - a. He was annoying her and she wanted him gone
  - b. He was abusive toward her and feared for her life
9. Did the Morrison's have a child?
  - a. Yes, a son
  - b. Yes, a daughter
  - c. No



## Appendix C

### Trial Summary Questionnaire

Note: All rating variables appeared on a 1-10 scale with only the endpoints labeled.

1. How would you rate the guilt of the defendant (Beth Morrison) in this case?

2. What is your verdict in this case?

Not Guilty                      Guilty of First-Degree Manslaughter

Guilty of First-Degree

Murder

By reason of  
self protection

3a. As specifically as possible, please state why you chose a not guilty by reason of self protection verdict.

3b. As specifically as possible, please state why you chose a guilty of first-degree manslaughter verdict.

3c. As specifically as possible, please state why you chose a guilty of murder verdict.

4. How credible did you find the testimony of Veronica Sampson (co-worker of the defendant; testimony for the prosecution)?

5. How credible did you find the testimony of John Parsons (neighbor of the defendant; testimony for the prosecution)?

6. How credible did you find the testimony of Dr. Carla Fleming (testimony for the prosecution)?

7. How credible did you find the testimony of the co-worker of the defendant, Michelle Perry (testimony for the defense)?

8. How credible did you find the testimony of the Chief of Police Gerald Colton (testimony for the defense)?

9. How credible did you find the testimony of Dr. Donald Adams (testimony for the defense)?

10. How credible did you find testimony of the defendant (Beth Morrison, the wife)?

11. How responsible was the victim (Frank Morrison, the husband) for his own death?

12. How responsible was the defendant (Beth Morrison, the wife) for the victim's death?

Appendix C (continued)

13. How much sympathy did you feel toward the victim (Frank Morrison, the husband)?
14. How much sympathy did you feel toward the defendant (Beth Morrison, the wife)?
15. How much fear do you think the victim (Frank Morrison, the husband) was experiencing just before the killing?
16. How much fear do you think the defendant (Beth Morrison, the wife) was experiencing just before the killing?
17. How much was the defendant (Beth Morrison, the wife) able to distinguish between right and wrong at the time of the killing?
18. In general, how psychologically stable do you feel the defendant (Beth Morrison, the wife) was in her life?
19. At the time of the killing, how psychologically stable was the defendant (Beth Morrison, the wife)?

## Appendix D

### Belief in Moral Justice Scale

1. If anyone ever victimized my family I would be tempted to hurt the person responsible.
2. If anyone ever victimized my family I would hurt the person responsible.
3. If anyone hurt my family I would be tempted to kill the person responsible.
4. If anyone hurt my family I would kill the person responsible.
5. Revenge killing is always wrong.
6. If someone were to rape your mother than you would be morally justified in killing the perpetrator.

## Appendix E

### Belief in Legal Justice Scale

1. For justice to be served, the innocent must be acquitted and the guilty convicted.
2. A criminal trial is just if it yields the right outcome.
3. It is extremely important to me that criminal trials arrive at the correct outcome (i.e., that the guilty are convicted and that the innocent go free).
4. The only just outcome of trials that involve defendants who actually committed the crime for which they are being tried is a conviction.
5. The only just outcome of trials that involve defendants who did not actually commit the crime for which they are being tried is acquittal.
6. Because it ensures a just legal system, I can tolerate the notion of some guilty people going free because their guilt could not be proven beyond a shadow of a doubt.
7. I never think about whether the outcomes of trials are fair.

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## Vita

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DOB 05/16/1980 in Pasadena, CA

### Education

Ph.D., University of Kentucky (2010)  
Advisor: Dr. Jonathan M. Golding  
Major: Cognitive Psychology

M.A., Wake Forest University (2005)  
Advisor: Dr. Eric R. Stone  
Major: Experimental Psychology

B.A., Willamette University (2002)  
Major: Psychology

### Journal Publications, Book Chapters, & Manuals

Lorch, R. F., Lorch, E. P., Calderhead, W. J., Dunlap, E. E., Hodell, E. C., & Freer, B. D. (2010). Learning the control of variables strategy in higher- and lower-achieving classrooms: Contributions of explicit instruction and experimentation. *Journal of Educational Psychology, 102*, 90-101.

Hodell, E. C., Golding, J. M., Yozwiak, J. A., Bradshaw, G. S., Kinstle, T. L., & Marsil, D. F. (2009). The perception of elder sexual abuse in the courtroom. *Violence Against Women, 15*, 678-698.

Golding, J. M., Dunlap, E. E., & Hodell, E. C. (2009). *Juror perceptions of children's eyewitness testimony*. In B. L. Bottoms, C. J. Najdowski, & G. S. Goodman (Eds.), *Children as victims, witnesses, and offenders: Psychological science and the law*. Guilford Press: New York.

Dunlap, E. E., Hodell, E. C., & Golding, J. M. (2008). The use of hearsay testimony on behalf of an elder victim of abuse: A reasonable and necessary alternative under certain circumstances. *Journal of Forensic Psychology Practice, 8*, 403-412.

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Golding, J. M., Hodell, E. C., & Yozwiak, J. A., & Godlaski, A. (2008). *Introduction to Psychology Lab Manual: Instructor Edition*. University of Kentucky.

- Golding, J. M., Hodell, E. C., & Yozwiak, J. A., & Godlaski, A. (2008). *Introduction to Psychology Lab Manual: Student Edition*. University of Kentucky.
- Dunlap, E. E., Golding, J. M., Hodell, E. C., & Marsil, D. F. (2007). Perceptions of elder physical abuse in the courtroom: The influence of hearsay witness testimony. *Journal of Elder Abuse and Neglect*, 19(3-4), 19-39.
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- Golding, J. M., Bradshaw, G. S., Dunlap, E. E., & Hodell, E. C. (2007). The impact of mock jury gender composition on deliberations and conviction rates in a child sexual assault trial. *Child Maltreatment*, 12, 182-190.
- Friedrich, J., Lucas, G., & Hodell, E. (2005). Proportional reasoning, framing effects, and policy support: Is six of one really half a dozen of another in university admissions? *Organizational Behavior and Human Decisions Processes*, 98, 195-215.

### **Invited Address**

- Hodell, E. C., & Dunlap, E. E. (2007). Invited address: Keynote speaker. *Interpersonal Violence*. Transylvania University, Lexington, KY.

### **Professional Presentations**

- Freer, B., Calderhead, W., Hodell, E., Dunlap, E., Lorch, E.P., & Lorch, R.F. (2009). *Impact of negative vs. positive example instruction on 4<sup>th</sup> grade students' acquisition of the control of variables strategy*. Poster presented at Society for Research in Child Development, Denver, CO.
- Dunlap, E., Lee, S., Freer, B., Hodell, E., Calderhead, W., Lorch, R.F., & Lorch, E.P. (2009) *The effect of interactive vs. lecture teaching styles on learning core science skills*. Poster presented at Society for Research in Child Development, Denver, CO.
- Calderhead, W., Freer, B., Hodell, E.C., Dunlap, E.E., Lorch, E.P., Lorch, R.L., & Powell, C. (2009). *Teaching core science skills: Efficacy of positive versus negative examples*. Poster presented at Society for Research on Educational Effectiveness, Washington, D.C.

- Lorch, R. F., Calderhead, W. J., Dunlap, E. E., Hodell, E. C., Freer, B. D., & Lorch, E. P. (2008). *Teaching the control of variables strategy in fourth grade classrooms*. Poster presented at the American Educational Research Association meeting, New York, NY.
- Lorch, E. P., Freer, B. D., Hodell, E. C., Dunlap, E. E., Calderhead, W. J., & Lorch, R. F. (2008). *Thinking aloud interferes with application of the control of variables strategy*. Poster presented at the American Educational Research Association meeting, New York, NY.
- Dunlap, E. E., & Hodell, E. C. (2008). *Juror perceptions of criminal stalking: An investigation of the standard of fear requirement*. Poster presented at Violence Against Women conference, Lexington, KY.
- Hodell, E. C., Golding, J. M., & Yozwiak, J. A. (2006). *Juror perception of financial elder abuse*. Poster presented at American Psychology-Law Society, St. Petersburg, FL.
- Golding, J. M., Yozwiak, J. A., Kinstle, T. L., Bradshaw, G. S., Hodell, E. C., & Marsil, D. F. (2005). *The Perception of Elderly Women Sexual Abuse in the Courtroom*. Paper presented at Violence Against Women conference, Lexington, KY.
- Hodell, E. & Stone, E. R. (2005). *Communicating risk information: Investigating the Proportional Thinking Theory*. Poster presented at North Carolina Cognition, Winston-Salem, NC.
- Hodell, E. & Stone, E. R. (2004). *Communicating risk information: Evidence for the Proportional Thinking Theory*. Poster presented at the annual meeting of the Society for Judgment and Decision Making, Minneapolis, MN.
- Friedrich, J., Hodell, E., Logan, J., & Swanson, K. (2002). *Proportional Reasoning and Support for Race Conscious College Admissions*. Poster presented at the annual meeting of the Western Psychological Association, Irvine, CA.

### **Experience & Academic Service**

Visiting Faculty, Willamette University, Salem, OR (2008-current)

Teaching Assistant, Advanced Developmental Psychology, University of Kentucky (2005-2007)

Colloquium Coordinator (2008)

Core Courses Evaluation Project, University of Kentucky: Student Representative (2007-2008)

Research Assistant, University of Kentucky: *Science Education Project* (2006-2008)

Children at Risk Position Search Committee, University of Kentucky: Student Representative (2006-2007)

Research Assistant, University of Kentucky: *Psychology and Law Research* (2005-2007)

Research Assistant, University of Kentucky: *Center for Research on Violence Against Women*, Carol E. Jordan, M. S. W. (2005-current)

Research Assistant, Wake Forest University: *Hispanic Achievers program evaluation*, Dr. Christy Buchanan (2003-2005)

Private tutor, Statistics for Behavioral Sciences (2004 – 2005)

Statistical technician, Assessment and Accountability office, Fairfield-Suisun Unified School District (2002 –2003)

Teaching Assistant, Psychology Statistics Department, Willamette University: Research Methods and Analysis II – Statistics (2001 –2002)

### **Honors & Awards**

Cognitive and Developmental Studies Psychology Student of the Year (2009)

RCTF Fellowship, University of Kentucky (2007-2008)

Student Travel Award, Scholarship in support of travel for presentation to APLS conference, University of Kentucky (March 2006)

Merit Scholarship, University of Kentucky (2005)

Alumni Student Travel Award, Scholarship in support of travel for presentation to SJDM conference, Wake Forest University (Nov 2004)

Merit Scholarship, Willamette University (August 1998 – May 2002)